

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AYE AYE THEIN
Yangon, Burma

NARGES AHMADI and NOOR AHMAD
AHRARI, *on behalf of themselves and their minor
children*, F.A., E.A., A.A.
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Lomé, Togo

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Hyderabad, India

ABDIRAHIM ALI NOR
Mogadishu Banadir, Somalia

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Civil Case No.: 1:25-cv-2369

**PLAINTIFFS' COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF AND PETITION FOR
WRIT OF MANDAMUS**

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Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity as*
the President of the United States,
1600 Pennsylvania Avenue NW
Washington, DC 20500

MARCO RUBIO, *in his official capacity as U.S.*
Secretary of State
The Executive Office
Office of Legal Advisor, Suite 5.600
600 19th Street, N.W.
Washington, D.C. 20522

Defendants.

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Plaintiffs Aye Aye Thein, Narges Ahmadi, Noor Ahmad Ahrari, F.A., E.A., A.A., Koffi Fabrice Djondo, Fayaz Charkhy, Najah Mohamed, Abdirahim Ali Nor, Abdiqadir Omar Barre, Abdikariim Osman Abdilahi, Suad Abdi Abdulahi, Fartun Abdulahi, Abdiwali Bocor, Parastoo Shoorche, Pooria Zargari, Samin Soltanian, Zeinab Ghorbani, Mahya Rouhollahi Masoumi, Seyedali Sabeti, Shahla Zamzami, Hassan Karimian, Maryam Almasi Kashi, Seyed Sina Mousavi, Golnoosh Ezzatollahzadeh, Seyed Hossein Hadaeghi, Ashraf Ahmadi, Asal Sadrzadeh, Mokhtar Kurdi, Parisa Badparva, Akram Radmand Hasankiadeh, Mehdi Sojoudi Kelishami, Hamidreza Shafiee, Farzaneh Majedi, Alireza Ataei, Javad Tohfeh, Kobra Eslamieh, B.T., Seyed Ali Seyed Aghamiri, Elham Moosefid, Pegah Etehad, Meysam Mohammad Ghorbani, Reza Fooladi, Zahra Hosseini, Reza Javid, Ehsan Esmaceli, Maryam Khademi Kohneshahri, Arman Feiz, Malihsa Oladi, Ali Azarpira, Farhad Kosari Moghaddam, Nasim Mohammadi Kouhsareh, Hamed Rostami, Mohammad Sadegh Sadaghian, Mitra Sadaghian, Arshia Sadaghian, Sarisa Ahmadi, Salar Nejati, Mehdi Ghasemi, Fatemeh Shakeri Abdolmaleki, Nima Mesbahzakeri, Setareh Moghimi Azarbaijan, Soheil Mozhdehi, Shahrzad Gholami, Majid Soheili, K.S., Somayeh Farhadifoumeshi, Mohammad Mahdi Gholipour, Zahra Farnaz Kazemzadeh Marand, Amirhossein Bolourian Tehrani, Narjes Heydari, Reza Sheykhi, Negin Salimi, Zaynab Sadat Hassani, Maysam Mahboubmojaz, Mohammad Mahmoudi, Masoumeh Jabbarzadeh, Amirreza Amirloo, Sara Bozorgmehr, Javad Sanatgar, Nina Nejatbakhsh, Shahab Tolouee Khatibi, Mahdi Azmoodeh, Elham Pourhoseiny, R.A.M., R.A., Farzaneh Moradi, Siavash Shahmoradi, Tohid Doudkanlouimilan, Ali Nematizadeh, Adeleh Afsharpour, Hamidreza Pouladsanj, Alireza Pouladsanj, A.P., Azamolsadat Seyed Abolhassani Nadaf, Amir Ostadzadeh, Habib Fard Rafie, Neda Mokhberi, S.F.R., Fereshteh Farzadfar, and Milad Faiz (collectively “Plaintiffs”), by and through the undersigned counsel, respectfully bring this Complaint for Declaratory and Injunctive

Relief and Petition for Writ of Mandamus to compel Defendants President Donald J. Trump, U.S. Secretary of State Marco Rubio, (collectively “Defendants”) and those acting under them to adjudicate Plaintiffs’ DV-2025 immigrant visa applications before the September 30, 2025 statutory deadline.

NATURE OF ACTION

1. Plaintiffs are 102 nationals of Afghanistan, Burma, Togo, Somalia, and Iran, including 55 Diversity Visa 2025 (DV-2025) program selectees and their 47 beneficiaries whose immigrant visa applications have been suspended, and their adjudications have been withheld due to Defendants’ policies, procedures, and practices.

2. On June 4, 2025, Defendant Trump issued Presidential Proclamation 10949, *Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats*, 90 Fed. Reg. 24497 (June 10, 2025) (“PP10949”), which put in sweeping “full suspension of entry” of 12 countries and bans on immigrants, and nonimmigrants on B-1, B-2, B-1/B-2, F, M, and J visas from an additional 7 countries.

3. Pursuant to PP10949, the Department of State has implemented a “**No Visa Policy**” which suspends the processing of DV-2025 immigrant visa applications of nationals subject to the proclamation, and suspends the issuance of Diversity Visas to nationals subject to the proclamation, but otherwise eligible for issuance.

4. Defendants’ policies, procedures, and practices suspend the processing of Plaintiffs’ DV-2025 applications, and withhold the adjudication for Plaintiffs’ visa applications through the end of the 2025 fiscal year.

5. For Plaintiffs, the stakes are high and a matter of extreme urgency. By statute, DV-2025 program applicants must have their immigrant visas adjudicated and issued before midnight on September 30, 2025.

6. If Defendants do not issue Plaintiffs' visas before midnight on September 30, 2025, Plaintiffs will lose their opportunity to immigrate to the United States of America through the DV-2025 program.

7. Plaintiffs hereby challenge PP10949 and Defendants' implementation of PP10949 through their policies, procedures, and practices.

8. Defendants' policies are unlawful, and in direct violation of the INA and well-settled case-law. Due to its intent divorced from national security concerns and severe negative economic and humanitarian consequences, PP10949 exceeds the Congress's delegation of authority to the President to issue a travel ban; further, Defendants' policy and procedure to implement PP 10949, especially its untenable "national interest" exception ("NIE"), *i.e.* the No NIE Policy, is arbitrary and capricious; moreover, in implementing PP 10949, the State Department continues with a policy of conflating an entry ban with an issuance ban, *i.e.* the No Visa Policy, not in accordance with law and excess of statutory authority (and notably, a policy that this court has previously enjoined. *Rai v. Biden*, 567 F. Supp. 3d 180 (D.D.C. 2021)); in addition, such No Visa Policy is arbitrary and capricious; last but not the least, Plaintiffs' visa applications are unreasonably delayed/unlawfully withheld by Defendants.

9. Defendants' policies, procedures, and practices will remain in place through September 30, 2025, effectively ending the DV-2025 program for Plaintiffs.

10. If Defendants continue to refuse to process Plaintiffs' DV applications by September 30, 2025, Plaintiffs will fail to receive statutorily mandated adjudications of their visa applications.

11. Plaintiffs' immigrant visa applications remain within the jurisdiction of Defendants, who have improperly withheld action on them since the interview, to the extreme detriment of the rights and privileges of Plaintiffs.

12. Plaintiffs seek an order compelling Defendants to set aside PP10949, any implementing policies, including the "No Visa Policy," which withhold and delay the processing and adjudication of Plaintiffs' immigrant visa applications and suspends the issuance of their visas.

13. Additionally, Plaintiffs seek an order from this Court compelling the Defendants and those acting under them to immediately and forthwith take all appropriate action to fulfill their mandatory, non-discretionary duty to provide final adjudications and issue decisions on Plaintiffs' immigrant applications before September 30, 2025.

JURISDICTION

14. This case arises under the INA, 8 U.S.C. § 1101 *et seq.*; and the APA, 5 U.S.C. § 555(b) and § 701 *et seq.*

15. This Court has jurisdiction pursuant to 28 U.S.C. § 1361. ("The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.")

16. Jurisdiction is further conferred by 8 U.S.C. § 1329 (jurisdiction of the district courts) and 28 U.S.C. § 1331 (federal subject matter jurisdiction).

17. This Court also has authority to grant relief under 28 U.S.C. § 2201, 2202 and 5 U.S.C. § 702.

18. There exists an actual and justiciable controversy between Plaintiffs and Defendants requiring resolution by this Court. Plaintiffs have no adequate remedy at law.

VENUE

19. Pursuant to 28 U.S.C. § 1391(e), venue is proper in this judicial district on the following grounds: this is a civil action in which (1) Defendants are officers or employees of the United States acting in their official capacity or an agency of the United States; (2) Defendants reside in this judicial district; and (3) a substantial part of the events or omissions giving rise to the claim occurred in part in this judicial district.

PARTIES

Plaintiff Aye Aye Thein

20. Plaintiff Aye Aye Thein is a national of Burma and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Aye Aye Thein is the principal applicant for a DV-2025 immigrant visa.

21. On or about May 4, 2024, Plaintiff Aye Aye Thein received their 1NL informing them of their selection for the DV-2025 program and assigning them consular case number **2025AS4695**.

22. Plaintiff Aye Aye Thein paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, Online Immigrant Visa and Alien Registration Application.

23. On May 19, 2025, Plaintiff Aye Aye Thein attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Yangon, Myanmar (Burma). Following the interview, their visa application was refused under section 221(g) of the INA and placed in administrative processing.

24. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Aye Aye Thein has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Narges Ahmadi, Noor Ahmad Ahrari, F.A., E.A., and A.A.

25. Plaintiff Narges Ahmadi is a national of Afghanistan, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

26. Plaintiffs Noor Ahmad Ahrari, F.A., E.A., and A.A. are nationals of Afghanistan and the spouse and minor children of Plaintiff Narges Ahmadi. As such, they are the derivative beneficiaries of Plaintiff Narges Ahmadi, pursuant to their selection in the 2025 Diversity Visa Program, and derivative applicants for a DV-2025 immigrant visa.

27. On or about May 4, 2024, Plaintiff Narges Ahmadi received their INL informing them of their selection for the DV-2025 program and assigning them and their derivatives consular case number **2025AS168**.

28. Plaintiffs Narges Ahmadi, Noor Ahmad Ahrari, F.A., E.A., and A.A. each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

29. On October 21, 2024, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Islamabad, Pakistan. Following the interview, their visa applications were refused under section 221(g) of the INA and placed in administrative processing.

30. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Narges Ahmadi, Noor Ahmad Ahrari, F.A., E.A., and A.A have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Koffi Fabrice Djondo

31. Plaintiff Koffi Fabrice Djondo is a national of Togo and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Koffi Fabrice Djondo is the principal applicant for a DV-2025 immigrant visa.

32. On or about May 4, 2024, Plaintiff Koffi Fabrice Djondo received their 1NL informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AF34554**.

33. Plaintiff Koffi Fabrice Djondo paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

34. On June 26, 2025, Plaintiff Koffi Fabrice Djondo attended their immigrant visa interview at the Consular Section of U.S. Embassy in Lomé, Togo. Following the interview, their visa application was refused under section 221(g) of the INA and placed in administrative processing.

35. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Koffi Fabrice Djondo has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Fayaz Charkhy

36. Plaintiff Fayaz Charkhy is a national of Afghanistan and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Fayaz Charkhy is the applicant for a DV-2025 immigrant visa.

37. On or about May 4, 2024, Plaintiff Fayaz Charkhy received their 1st Notification Letter (“1NL”), informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS7062**.

38. Plaintiff Fayaz Charkhy paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Form DS-260, Online Immigrant Visa and Alien Registration Application.

39. On June 26, 2025, Plaintiff Fayaz Charkhy attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Islamabad, Pakistan. Following the interview, their visa application was refused under section 221(g) of the INA and placed in administrative processing.

40. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Fayaz Charkhy has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Najah Mohamed

41. Plaintiff Najah Mohamed is a national of Somalia and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Najah Mohamed is the principal applicant for a DV-2025 immigrant visa.

42. On or about May 4, 2024, Plaintiff Najah Mohamed received their 1NL informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AF15321**.

43. Plaintiff Najah Mohamed paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

44. On March 07, 2025, Plaintiff Najah Mohamed attended their immigrant visa interview at the Consular Section of the U.S. Consulate General Mumbai, India. Following the

interview, their visa application was refused under section 221(g) of the INA and placed in administrative processing.

45. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Najah Mohamed has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Abdirahim Ali Nor

46. Plaintiff Abdirahim Ali Nor is a national of Somalia and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Abdirahim Ali Nor is the principal applicant for a DV-2025 immigrant visa.

47. On or about May 4, 2024, Plaintiff Abdirahim Ali Nor received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AF1964**.

48. Plaintiff Abdirahim Ali Nor paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

49. On November 05, 2024, Plaintiff Abdirahim Ali Nor attended their immigrant visa interview at the Consular Section of the USA Embassy U.S. Embassy in Djibouti. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

50. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Abdirahim Ali Nor has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Abdiqadir Omar Barre

51. Plaintiff Abdiqadir Omar Barre is a national of Somalia and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Abdiqadir Omar Barre is the applicant for a DV-2025 immigrant visa.

52. On or about May 4, 2024, Plaintiff Abdiqadir Omar Barre received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AF15330**.

53. Plaintiff Abdiqadir Omar Barre paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

54. On February 23, 2025, Plaintiff Abdiqadir Omar Barre attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Djibouti. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

55. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Abdiqadir Omar Barre has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Suad Abdi Abdulahi and Fartun Abdulahi

56. Plaintiff Suad Abdi Abdulahi is a national of Somalia, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

57. Plaintiff Fartun Abdulahi is a national of Somalia and the spouse of Plaintiff Suad Abdi Abdulahi. As such, they are the derivative beneficiary of Plaintiff Suad Abdi Abdulahi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

58. On or about May 4, 2024, Plaintiff Suad Abdi Abdulahi received their INL, informing them of their selection for the DV-2025 program, and assigning them their derivative spouse consular case number **2025AF3576**.

59. Plaintiffs Suad Abdi Abdulahi and Fartun Abdulahi each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

60. On May 27, 2025, Plaintiffs Suad Abdi Abdulahi and Fartun Abdulahi attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Muscat, Oman. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

61. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Suad Abdi Abdulahi and Fartun Abdulahi have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Abdiwali Bocor

62. Plaintiff Abdiwali Bocor is a national of Somalia and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Abdiwali Bocor is the principal applicant for a DV-2025 immigrant visa.

63. On or about May 4, 2024, Plaintiff Abdiwali Bocor received their INL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AF23714**.

64. Plaintiff Abdiwali Bocor paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

65. On March 17, 2024, Plaintiff Abdiwali Bocor attended their immigrant visa interview at the Consular Section of the U.S. Consulate General Mumbai, India. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

66. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Abdiwali Bocor has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Parastoo Shoorche and Pooria Zargari

67. Plaintiff Parastoo Shoorche is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.\

68. Plaintiff Pooria Zargari is a national of Iran and the spouse of Plaintiff Parastoo Shoorche. As such, they are the derivative beneficiary of Plaintiff Parastoo Shoorche, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

69. On or about May 4, 2024, Plaintiff Parastoo Shoorche received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS1211**.

70. Plaintiffs Parastoo Shoorche and Pooria Zargari each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

71. On October 28, 2024, Plaintiffs Parastoo Shoorche and Pooria Zargari attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E.

72. Following the interview, Plaintiff Parastoo Shoorche's visa application was approved and her immigrant visa was issued, however Plaintiff Pooria Zargari's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

73. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Pooria Zargari has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Samin Soltanian and Zeinab Ghorbani

74. Plaintiff Samin Soltanian is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

75. Plaintiff Zeinab Ghorbani is a national of Iran and the spouse of Plaintiff Samin Soltanian. As such, they are the derivative beneficiary of Plaintiff Samin Soltanian, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for a DV-2025 immigrant visa.

76. On or about May 4, 2024, Plaintiffs Samin Soltanian received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS6607**.

77. Plaintiffs Samin Soltanian and Zeinab Ghorbani each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

78. On June 2, 2025, Plaintiffs Samin Soltanian and Zeinab Ghorbani attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

79. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Samin Soltanian and Zeinab Ghorbani have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Mahya Rouhollahi Masoumi

80. Plaintiff Mahya Rouhollahi Masoumi is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Mahya Rouhollahi Masoumi is the principal applicant for a DV-2025 immigrant visa.

81. On or about May 4, 2024, Plaintiff Mahya Rouhollahi Masoumi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS63**.

82. Plaintiff Mahya Rouhollahi Masoumi paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

83. On October 09, 2024, Plaintiff Mahya Rouhollahi Masoumi attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

84. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Mahya Rouhollahi Masoumi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Seyedali Sabeti and Shahla Zamzami

85. Plaintiff Seyedali Sabeti is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

86. Plaintiff Shahla Zamzami is a national of Iran and the spouse of Plaintiff Seyedali Sabeti. As such, they are the derivative beneficiary of Plaintiff Seyedali Sabeti, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

87. On or about May 4, 2024, Plaintiffs Seyedali Sabeti received their INL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS5621**.

88. Plaintiffs Seyedali Sabeti and Shahla Zamzami each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

89. On April 14, 2025, Plaintiffs Seyedali Sabeti and Shahla Zamzami attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Yerevan, Armenia. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

90. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Seyedali Sabeti and Shahla Zamzami have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Hassan Karimian

91. Plaintiff Hassan Karimian is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Hassan Karimian is the principal applicant for a DV-2025 immigrant visa.

92. On or about May 4, 2024, Plaintiff Hassan Karimian received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS5861**.

93. Plaintiff Hassan Karimian paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

94. On April 28, 2025, Plaintiff Hassan Karimian attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

95. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Hassan Karimian has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Maryam Almasi Kashi, Seyed Sina Mousavi

96. Plaintiff Maryam Almasi Kashi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Maryam Almasi Kashi and her spouse, Plaintiff Seyed Sina Mousavi, are the parents to one minor child, S.L.M., who has also been issued their DV-2025 immigrant visa.

97. Plaintiff Seyed Sina Mousavi is a national of Iran and the spouse of Plaintiff Maryam Almasi Kashi. As such, they are the derivative beneficiary of Plaintiff Maryam Almasi Kashi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

98. On or about May 4, 2024, Plaintiff Maryam Almasi Kashi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS2001**.

99. Plaintiffs Maryam Almasi Kashi, Seyed Sina Mousavi, their derivative child and each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

100. On November 13, 2024, Plaintiffs Maryam Almasi Kashi, Seyed Sina Mousavi and their child attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

101. Following the interview, Plaintiff Maryam Almasi Kashi and their minor child's visa applications were approved and their immigrant visas were issued, however Plaintiff Seyed Sina Mousavi's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

102. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Seyed Sina Mousavi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Golnoosh Ezzatollahzadeh and Seyed Hossein Hadaeghi

103. Plaintiff Golnoosh Ezzatollahzadeh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Golnoosh Ezzatollahzadeh and her spouse, Plaintiff Seyed Hossein Hadaeghi, are the parents to two minor children, who have also been issued their DV-2025 immigrant visas.

104. Plaintiff Seyed Hossein Hadaeghi is a national of Iran and the spouse of Plaintiff Golnoosh Ezzatollahzadeh. As such, they are the derivative beneficiary of Plaintiff Golnoosh

Ezzatollahzadeh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

105. On or about May 4, 2024, Plaintiff Golnoosh Ezzatollahzadeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS2889**.

106. Plaintiffs Golnoosh Ezzatollahzadeh, Seyed Hossein Hadaeghi, their children each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

107. On February 12, 2025, Plaintiffs Golnoosh Ezzatollahzadeh, Seyed Hossein Hadaeghi and their children attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

108. Following the interview, Plaintiff Golnoosh Ezzatollahzadeh and their children's visa applications were approved and their immigrant visas were issued, however Plaintiff Seyed Hossein Hadaeghi's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

109. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Seyed Hossein Hadaeghi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Ashraf Ahmadi and Asal Sadrzadeh

110. Plaintiff Ashraf Ahmadi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

111. Plaintiff Asal Sadrzadeh is a national of Iran and the spouse of Plaintiff Ashraf Ahmadi. As such, they are the derivative beneficiary of Plaintiff Ashraf Ahmadi, pursuant to their

selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

112. On or about May 4, 2024, Plaintiff Ashraf Ahmadi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS2214**.

113. Plaintiffs Ashraf Ahmadi and Asal Sadrzadeh each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

114. On November 13, 2024, Plaintiffs Ashraf Ahmadi and Asal Sadrzadeh attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey.

115. Following the interview, their visa applications were refused under section 221(g) of the INA and placed in administrative processing.

116. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiff Ashraf Ahmadi and Asal Sadrzadeh have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Mokhtar Kurdi and Parisa Badparva

117. Plaintiff Mokhtar Kurdi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

118. Plaintiff Parisa Badparva is a national of Iran and the spouse of Plaintiff Mokhtar Kurdi. As such, they are the derivative beneficiary of Plaintiff Mokhtar Kurdi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

119. On or about May 4, 2024, Plaintiff Mokhtar Kurdi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS2184**.

120. Plaintiffs Mokhtar Kurdi and Parisa Badparva each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

121. On November 26, 2024, Plaintiffs Mokhtar Kurdi and Parisa Badparva attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

122. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiff Mokhtar Kurdi and Parisa Badparva have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Akram Radmand HasankiaDeh and Mehdi Sojoudi Kelishami

123. Plaintiff Akram Radmand HasankiaDeh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Akram Radmand HasankiaDeh and her spouse, Plaintiff Mehdi Sojoudi Kelishami, are the parents to one minor child, R.S.K., who has also been issued their DV-2025 immigrant visa.

124. Plaintiff Mehdi Sojoudi Kelishami is a national of Iran and the spouse of Plaintiff Akram Radmand HasankiaDeh. As such, they are the derivative beneficiary of Plaintiff Akram Radmand HasankiaDeh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

125. On or about May 4, 2024, Plaintiff Akram Radmand HasankiaDeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS1652**.

126. Plaintiffs Akram Radmand HasankiaDeh, Mehdi Sojoudi Kelishami and their child each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

127. On November 13, 2024, Plaintiffs Akram Radmand HasankiaDeh, Mehdi Sojoudi Kelishami, and their child attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

128. Following the interview, Plaintiff Akram Radmand HasankiaDeh and their child's visa applications were approved and their immigrant visas were issued, however Plaintiff Mehdi Sojoudi Kelishami's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

129. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Mehdi Sojoudi Kelishami has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Farzaneh Majedi and Hamidreza Shafiee

130. Plaintiff Farzaneh Majedi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

131. Plaintiff Farzaneh Majedi and her spouse, Plaintiff Hamidreza Shafiee, are the parents to three children, who have also been issued their DV-2025 immigrant visas

132. Plaintiff Hamidreza Shafiee is a national of Iran and the spouse of Plaintiff Farzaneh Majedi. As such, they are the derivative beneficiary of Plaintiff Farzaneh Majedi,

pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

133. On or about May 4, 2024, Plaintiffs Farzaneh Majedi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS6405**.

134. On May 21, 2025, Plaintiffs Farzaneh Majedi, Hamidreza Shafiee, and their children attended their immigrant visa interview at the Consular Section of U.S. Embassy in Yerevan, Armenia.

135. Following the interview, Plaintiff Farzaneh Majedi and their children's visa applications were approved and their immigrant visas were issued, however Plaintiff Hamidreza Shafiee's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

136. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Hamidreza Shafiee has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Alireza Ataei

137. Plaintiff Alireza Ataei is a national of Iran, born and raised in Kuwait, and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Alireza Ataei is the principal applicant for a DV-2025 immigrant visa.

138. On or about May 4, 2024, Plaintiff Alireza Ataei received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS7445**.

139. Plaintiff Alireza Ataei paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

140. On June 04, 2025, Plaintiff Alireza Ataei attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Kuwait. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

141. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Alireza Ataei has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Javad Tohfeh, Kobra Eslamieh, and B.T.

142. Plaintiff Javad Tohfeh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

143. Plaintiffs Kobra Eslamieh and B.T. are nationals of Iran and the spouse and minor child of Plaintiff Javad Tohfeh. As such, they are the derivative beneficiaries of Plaintiff Javad Tohfeh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for a DV-2025 immigrant visa.

144. On or about May 4, 2024, Plaintiffs Javad Tohfeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS912**.

145. Plaintiffs Javad Tohfeh, Kobra Eslamieh, and B.T. each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

146. On November 13, 2024, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

147. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Javad Tohfeh, Kobra Eslamieh, and B.T. have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Seyed Ali Seyed Aghamiri and Elham Moosefid

148. Plaintiff Seyed Ali Seyed Aghamiri is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

149. Plaintiff Elham Moosefid is a national of Iran and the spouse of Plaintiff Seyed Ali Seyed Aghamiri. As such, they are the derivative beneficiary of Plaintiff Seyed Ali Seyed Aghamiri, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

150. On or about May 4, 2024, Plaintiffs Seyed Ali Seyed Aghamiri received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS1123**.

151. Plaintiffs Seyed Ali Seyed Aghamiri and Elham Moosefid each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

152. On November 06, 2024, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, Plaintiffs' visa

applications were refused under section 221(g) of the INA, and placed in administrative processing.

153. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Seyed Ali Seyed Aghamiri and Elham Moosefid have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Pegah Etehad and Meysam Mohammad Ghorbani

154. Plaintiff Pegah Etehad is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Pegah Etehad and her spouse, Plaintiff Meysam Mohammad Ghorbani, are parents to one minor child, S.M. who has also been issued their DV-2025 immigrant visa.

155. Plaintiff Meysam Mohammad Ghorbani is a national of Iran and the spouse of Plaintiff Pegah Etehad. As such, they are the derivative beneficiary of Plaintiff Pegah Etehad, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

156. On or about May 4, 2024, Plaintiffs Pegah Etehad received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS2838**.

157. Plaintiffs Pegah Etehad and Meysam Mohammad Ghorbani and their child each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

158. On February 12, 2025, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey.

159. Following the interview, Plaintiff Pegah Etehad and her child's visa applications were approved and their immigrant visas were issued, however Plaintiff Meysam Mohammad Ghorbani's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

160. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Meysam Mohammad Ghorbani has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Reza Fooladi and Zahra Hosseini

161. Plaintiff Reza Fooladi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

162. Plaintiff Zahra Hosseini is a national of Iran and the spouse of Plaintiff Reza Fooladi. As such, they are the derivative beneficiary of Plaintiff Reza Fooladi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

163. On or about May 4, 2024, Plaintiffs Reza Fooladi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS1883**.

164. Plaintiffs Reza Fooladi and Zahra Hosseini each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

165. On November 13, 2024, Plaintiffs Reza Fooladi and Zahra Hosseini attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey.

Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

166. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Reza Fooladi and Zahra Hosseini have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Ehsan Esmaeili

167. Plaintiff Ehsan Esmaeili is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Ehsan Esmaeili is the principal applicant for a DV-2025 immigrant visa.

168. On or about May 4, 2024, Plaintiff Ehsan Esmaeili received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS1350**.

169. Plaintiff Ehsan Esmaeili paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

170. On October 03, 2024, Plaintiff Ehsan Esmaeili attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Yerevan, Armenia. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

171. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Ehsan Esmaeili has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Maryam Khademi Kohnehsahri and Arman Feiz

172. Plaintiff Maryam Khademi Kohnehshahri is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Maryam Khademi Kohnehshahri and her spouse, Plaintiff Arman Feiz, are the parents to two minor children, E.F. and L.F., who have also been issued their DV-2025 immigrant visas.

173. Plaintiff Arman Feiz is a national of Iran and the spouse of Plaintiff Maryam Khademi Kohnehshahri. As such, they are the derivative beneficiary of Plaintiff Maryam Khademi Kohnehshahri, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

174. On or about May 4, 2024, Plaintiff Maryam Khademi Kohnehshahri received their 1NL informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS3443**.

175. Plaintiff Maryam Khademi Kohnehshahri, Plaintiff Arman Feiz, and their children each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

176. On January 27, 2025, Plaintiffs Maryam Khademi Kohnehshahri, Arman Feiz, and their children attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, Plaintiff Maryam Khademi Kohnehshahri and their children's visa applications were approved and their immigrant visas were issued, however Plaintiff Arman Feiz's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

177. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Arman Feiz has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Malihsa Oladi and Ali Azapira

178. Plaintiff Malihsa Oladi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Malihsa Oladi and her spouse, Plaintiff Ali Azapira, are the parents to one minor child who has also been issued their DV-2025 immigrant visa.

179. Plaintiff Ali Azapira is a national of Iran and the spouse of Plaintiff Malihsa Oladi. As such, they are the derivative beneficiary of Plaintiff Malihsa Oladi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

180. On or about May 4, 2024, Plaintiff Malihsa Oladi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS160**.

181. Plaintiffs Malihsa Oladi, Ali Azapira, and their child each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

182. On October 29, 2024, Plaintiffs and their child attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, Plaintiff Malihsa Oladi and their child's visa applications were approved and their immigrant visas were issued, however Plaintiff Ali Azapira's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

183. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Ali Azarpira has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Farhad Kosari Moghaddam and Nasim Mohammadi Kousareh

184. Plaintiff Farhad Kosari Moghaddam is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

185. Plaintiff Nasim Mohammadi Kousareh is a national of Iran and the spouse Plaintiff Farhad Kosari Moghaddam. As such, they are the derivative beneficiary of Plaintiff Farhad Kosari Moghaddam, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

186. On or about May 4, 2024, Plaintiff Farhad Kosari Moghaddam received their INL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS621**.

187. Plaintiffs Farhad Kosari Moghaddam and Nasim Mohammadi Kousareh each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

188. On October 24, 2024, Plaintiffs Farhad Kosari Moghaddam and Nasim Mohammadi Kousareh attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

189. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Farhad Kosari Moghaddam and Nasim Mohammadi Kousareh have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Hamed Rostami

190. Plaintiff Hamed Rostami is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Hamed Rostami is the principal applicant for a DV-2025 immigrant visa.

191. On or about May 4, 2024, Plaintiff Hamed Rostami received their INL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS5657**.

192. Plaintiff Hamed Rostami paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

193. On April 28, 2025, Plaintiff Hamed Rostami attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

194. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Hamed Rostami has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Mohammadsadegh Sadaghian, Mitra Sadaghian, and Arshia Sadaghian

195. Plaintiff Mohammadsadegh Sadaghian is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

196. Plaintiffs Mitra Sadaghian and Arshia Sadaghian are nationals of Iran and the spouse and the child of Plaintiff Mohammadsadegh Sadaghian. As such, they are the derivative

beneficiaries of Plaintiff Mohammadsadegh Sadaghian, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for DV-2025 immigrant visas.

197. On or about May 4, 2024, Plaintiff Mohammadsadegh Sadaghian received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS2884**.

198. Plaintiffs Mohammadsadegh Sadaghian, Mitra Sadaghian, and Arshia Sadaghian each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

199. On November 25, 2024, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, Plaintiffs' visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

200. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Mohammadsadegh Sadaghian, Mitra Sadaghian, and Arshia Sadaghian have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Sarisa Ahmadi and Salar Nejati

201. Plaintiff Sarisa Ahmadi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

202. Plaintiff Salar Nejati is a national of Iran and the spouse of Plaintiff Sarisa Ahmadi. As such, they are the derivative beneficiary of Plaintiff Sarisa Ahmadi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

203. On or about May 4, 2024, Plaintiffs Sarisa Ahmadi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS1799**.

204. Plaintiffs Sarisa Ahmadi and Salar Nejati each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

205. On October 08, 2024, Plaintiff Sarisa Ahmadi and Salar Nejati attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Baghdad, Iraq. Following the interview, Plaintiff Sarisa Ahmadi's visa application was approved and their immigrant visa was issued, however Plaintiff Salar Nejati's visa application was refused under section 221(g) of the INA, and placed in administrative processing.

206. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Salar Nejati has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Mehdi Ghasemi and Fatemeh Shakeri Abdolmaleki

207. Plaintiff Mehdi Ghasemi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

208. Plaintiff Fatemeh Shakeri Abdolmaleki is a national of Iran and the spouse Plaintiff Mehdi Ghasemi. As such, they are the derivative beneficiary of Plaintiff Mehdi Ghasemi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

209. On or about May 4, 2024, Plaintiff Mehdi Ghasem received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS1732**.

210. Plaintiffs Mehdi Ghasemi and Fatemeh Shakeri Abdolmaleki each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

211. On November 13, 2024, Plaintiffs Mehdi Ghasemi and Fatemeh Shakeri Abdolmaleki attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

212. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiff Mehdi Ghasemi and Fatemeh Shakeri Abdolmaleki have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Nima Mesbahzakeri

213. Plaintiff Nima Mesbahzakeri is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Nima Mesbahzakeri is the principal applicant for a DV-2025 immigrant visa.

214. On or about May 4, 2024, Plaintiff Nima Mesbahzakeri received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS3176**.

215. Plaintiff Nima Mesbahzakeri paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

216. On January 28, 2025, Plaintiff Nima Mesbahzakeri attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

217. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Nima Mesbahzakeri has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Setareh Moghimi Azarbaijan and Soheil Mozhdehi

218. Plaintiff Setareh Moghimi Azarbaijan is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

219. Plaintiff Soheil Mozhdehi is a national of Iran and the spouse of Plaintiff Setareh Moghimi Azarbaijan. As such, they are the derivative beneficiary of Plaintiff Setareh Moghimi Azarbaijan, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

220. On or about May 4, 2024, Plaintiff Setareh Moghimi Azarbaijan received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS5074**.

221. Plaintiffs Setareh Moghimi Azarbaijan and Soheil Mozhdehi each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

222. On February 19, 2025, Plaintiffs Setareh Moghimi Azarbaijan and Soheil Mozhdehi attended their immigrant visa interview at the Consular Section of the U.S. Embassy in

Abu Dhabi, U.A.E. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

223. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Setareh Moghimi Azarbaijan and Soheil Mozhdehi have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Shahrzad Gholami, Majid Soheili, and K.S.

224. Plaintiff Shahrzad Gholami is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

225. Plaintiffs Majid Soheili and K.S. are nationals of Iran and the spouse and minor child of Plaintiff Shahrzad Gholami. As such, they are the derivative beneficiaries of Plaintiff Shahrzad Gholami, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for DV-2025 immigrant visas.

226. On or about May 4, 2024, Plaintiff Shahrzad Gholami received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS238**.

227. Plaintiffs Shahrzad Gholami, Majid Soheili, and K.S. each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

228. On October 29, 2024, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, Plaintiffs' visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

229. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Shahrzad Gholami, Majid Soheili, and K.S have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Somayeh Farhadifoumeshi and Mohammadhi Gholipour

230. Plaintiff Somayeh Farhadifoumeshi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Somayeh Farhadifoumeshi and her spouse, Plaintiff Mohammadhi Gholipour, are parents to two children, S.G. and S.S., who have also been issued their DV-2025 immigrant visas.

231. Plaintiff Mohammadhi Gholipour is a national of Iran and the spouse of Plaintiff Somayeh Farhadifoumeshi. As such, they are the derivative beneficiary of Plaintiff Somayeh Farhadifoumeshi, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

232. On or about May 4, 2024, Plaintiff Somayeh Farhadifoumeshi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS3406**.

233. Plaintiffs Somayeh Farhadifoumeshi, Mohammadhi Gholipour, and their children each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

234. On March 05, 2025, Plaintiffs Somayeh Farhadifoumesh, Mohammadhi Gholipour, and their children attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

235. Following the interview, Plaintiff Somayeh Farhadifoumeshi and their childrens's visa applications were approved and their immigrant visas were issued, however Plaintiff

Mohammahdi Gholipour's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

236. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Mohammahdi Gholipour has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Zahra Farnaz Kazemzadeh Marand and AmirHossein Bolourian Tehrani

237. Plaintiff Zahra Farnaz Kazemzadeh Marand is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Zahra Farnaz Kazemzadeh Marand and her spouse, Plaintiff AmirHossein Bolourian Tehrani, are parents to one child, K.B.T., who has also been issued their DV-2025 immigrant visa.

238. Plaintiff AmirHossein Bolourian Tehrani is a national of Iran and the spouse of Plaintiff Zahra Farnaz Kazemzadeh Marand. As such, they are the derivative beneficiary of Plaintiff Zahra Farnaz Kazemzadeh Marand, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

239. On or about May 4, 2024, Plaintiff Zahra Farnaz Kazemzadeh Marand received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS1153**.

240. Plaintiffs Zahra Farnaz Kazemzadeh Marand, AmirHossein Bolourian Tehrani and their child each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

241. On October 29, 2024, Plaintiffs Zahra Farnaz Kazemzadeh Marand, AmirHossein Bolourian Tehrani, and their child attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E.

242. Following the interview, Plaintiff Zahra Farnaz Kazemzadeh Marand and their child's visa applications were approved and their immigrant visas were issued, however Plaintiff AmirHossein Bolourian Tehrani's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

243. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff AmirHossein Bolourian Tehrani has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Narjes Heydari and Reza Sheyki

244. Plaintiff Narjes Heydari is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

245. Plaintiff Reza Sheyki is a national of Iran and the spouse of Plaintiff Narjes Heydari. As such, they are the derivative beneficiary of Plaintiff Narjes Heydari, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

246. On or about May 4, 2024, Plaintiff Narjes Heydari received their INL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS4102**.

247. Plaintiffs Narjes Heydari and Reza Sheyki each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

248. On January 28, 2025, Plaintiffs Narjes Heydari and Reza Sheyki attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E.

249. Following the interview, Plaintiff Narjes Heydari's visa application was approved, and their immigrant visa was issued, however Plaintiff Reza Sheyki's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

250. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Reza Sheyki has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Negin Salimi

251. Plaintiff Negin Salimi is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Negin Salimi is the principal applicant for a DV-2025 immigrant visa.

252. On or about May 4, 2024, Plaintiff Negin Salimi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS643**.

253. Plaintiff Negin Salimi paid the required \$330 Diversity Visa Lottery application fee, and timely submitted Form DS-260, *Online Immigrant Visa and Alien Registration Application*.

254. On October 29, 2024, Plaintiff Negin Salimi attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

255. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Negin Salimi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Zaynab Sadat Hassani and Maysam Mahboubmojaz

256. Plaintiff Zaynab Sadat Hassani is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

257. Plaintiff Maysam Mahboubmojaz is a national of Iran and the spouse of Plaintiff Zaynab Sadat Hassani. As such, they are the derivative beneficiary of Plaintiff Zaynab Sadat Hassani, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

258. On or about May 4, 2024, Plaintiff Zaynab Sadat Hassani received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS4291**.

259. Plaintiffs Zaynab Sadat Hassani and Maysam Mahboubmojaz each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

260. On April 10, 2025, Plaintiff Zaynab Sadat Hassani and Maysam Mahboubmojaz attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, Plaintiff Zaynab Sadat Hassani's visa application was approved, and their immigrant visa was issued, however Plaintiff Maysam Mahboubmojaz's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

261. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Maysam Mahboubmojaz has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Mohammad Mahmoudi

262. Plaintiff Mohammad Mahmoudi is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Mohammad Mahmoudi is the principal applicant for a DV-2025 immigrant visa.

263. On or about May 4, 2024, Plaintiff Mohammad Mahmoudi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS5384**.

264. Plaintiff Mohammad Mahmoudi paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

265. On April 28, 2025, Plaintiff Mohammad Mahmoudi attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA and placed in administrative processing.

266. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Mohammad Mahmoudi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Masoumeh Jabbarzadeh and Amirreza Amirloo

267. Plaintiff Masoumeh Jabbarzadeh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

268. Plaintiff Amirreza Amirloo is a national of Iran and the spouse of Plaintiff Masoumeh Jabbarzadeh. As such, they are the derivative beneficiary of Plaintiff Masoumeh Jabbarzadeh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

269. On or about May 4, 2024, Plaintiff Masoumeh Jabbarzadeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS6629**.

270. Plaintiffs Masoumeh Jabbarzadeh and Amirreza Amirloo each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

271. On June 2, 2025, Plaintiffs Masoumeh Jabbarzadeh and Amirreza Amirloo attended their immigrant visa interview at the Consular Section of U.S. Embassy in Abu Dhabi, U.A.E.

272. Following the interview, Plaintiff Masoumeh Jabbarzadeh's visa application was approved and their immigrant visa was issued, however Plaintiff Amirreza Amirloo's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

273. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Amirreza Amirloo has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Sara Bozorgmehr and Javad Sanatgar

274. Plaintiff Sara Bozorgmehr is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

275. Plaintiff Javad Sanatgar is a national of Iran and the spouse of Plaintiff Sara Bozorgmehr. As such, they are the derivative beneficiary of Plaintiff Sara Bozorgmehr, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

276. On or about May 4, 2024, Plaintiff Sara Bozorgmehr received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS548**.

277. Plaintiffs Sara Bozorgmehr and Javad Sanatgar each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

278. On October 23, 2024, Plaintiffs Sara Bozorgmehr and Javad Sanatgar attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey. Following the interview, Plaintiff Sara Bozorgmehr's visa application was approved and their immigrant visa was issued, however Plaintiff Javad Sanatgar's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

279. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Javad Sanatgar has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Nina Nejatbakhsh and Shabab Tolouee Khatibi

280. Plaintiff Nina Nejatbakhsh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

281. Plaintiff Shabab Tolouee Khatibi is a national of Iran and the spouse of Plaintiff Nina Nejatbakhsh. As such, they are the derivative beneficiary of Plaintiff Nina Nejatbakhsh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

282. On or about May 4, 2024, Plaintiff Nina Nejatbakhsh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS226**.

283. Plaintiffs Nina Nejatbakhsh and Shabab Tolouee Khatibi each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

284. On October 10, 2024, Plaintiffs Nina Nejatbakhsh and Shabab Tolouee Khatibi attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

285. Following the interview, Plaintiff Nina Nejatbakhsh's visa application was approved and their immigrant visa was issued, however Plaintiff Shabab Tolouee Khatibi's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

286. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Shabab Tolouee Khatibi has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Mahdi Azmoodeh, Elham Pourhosseiny, R.A.M., and R.A

287. Plaintiff Mahdi Azmoodeh is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

288. Plaintiffs Elham Pourhosseiny, R.A.M., and R.A. are nationals of Iran and the spouse and minor children of Plaintiff Mahdi Azmoodeh. As such, they are the derivative beneficiaries of Plaintiff Mahdi Azmoodeh, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for a DV-2025 immigrant visa.

289. On or about May 4, 2024, Plaintiffs Mahdi Azmoodeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS1498**.

290. Plaintiffs Mahdi Azmoodeh, Elham Pourhosseiny, R.A.M., and R.A each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

291. On January 15, 2025, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, Plaintiffs' visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

292. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Mahdi Azmoodeh, Elham Pourhosseiny, R.A.M., and R.A. have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Farzaneh Moradi and Siavash Shahmoradi

293. Plaintiff Farzaneh Moradi is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

294. Plaintiff Siavash Shahmoradi is a national of Iran and the spouse of Plaintiff Farzaneh Moradi. As such, they are the derivative beneficiary of Plaintiff Farzaneh Moradi,

pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

295. On or about May 4, 2024, Plaintiff Farzaneh Moradi received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS6564**.

296. Plaintiffs Farzaneh Moradi and Siavash Shahmoradi each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

297. On June 10, 2025, Plaintiffs attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Ankara, Turkey. Following the interview, Plaintiffs' visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

298. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Farzaneh Moradi and Siavash Shahmoradi have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Tohid Doudkanlouimilan

299. Plaintiff Tohid Doudkanlouimilan is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Tohid Doudkanlouimilan is the principal applicant for a DV-2025 immigrant visa.

300. On or about May 4, 2024, Plaintiff Tohid Doudkanlouimilan received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS5092**.

301. Plaintiff Tohid Doudkanlouimilan paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

302. On February 11, 2025, Plaintiff Tohid Doudkanlouimilan attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

303. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Tohid Doudkanlouimilan has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiff Ali Nematzadeh

304. Plaintiff Ali Nematzadeh is a national of Iran and a 2025 Diversity Visa program selectee. Pursuant to their selection for the 2025 Diversity Visa Program, Plaintiff Ali Nematzadeh is the principal applicant for a DV-2025 immigrant visa.

305. On or about May 4, 2024, Plaintiff Ali Nematzadeh received their 1NL, informing them of their selection for the DV-2025 program, and assigning them consular case number **2025AS5629**.

306. Plaintiff Ali Nematzadeh paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their DS-260, *Online Immigrant Visa and Alien Registration Application*.

307. On April 29, 2025, Plaintiff Ali Nematzadeh attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the

interview, their visa application was refused under section 221(g) of the INA, and placed in administrative processing.

308. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Ali Nematzadeh has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Adeleh Afsharpour, Hamidreza Pouladsanj, Alireza Pouladsanj, and A.P.

309. Plaintiff Adeleh Afsharpour is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

310. Plaintiffs Hamidreza Pouladsanj, Alireza Pouladsanj, and A.P. are nationals of Iran and the spouse and children of Plaintiff Adeleh Afsharpour. As such, they are the derivative beneficiaries of Plaintiff Adeleh Afsharpour, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for a DV-2025 immigrant visa.

311. On or about May 4, 2024, Plaintiffs Adeleh Afsharpour received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS3260**.

312. Plaintiffs Adeleh Afsharpour, Hamidreza Pouladsanj, Alireza Pouladsanj, and A.P. each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

313. On January 28, 2025, Plaintiffs Adeleh Afsharpour, Hamidreza Pouladsanj, Alireza Pouladsanj, and A.P. attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi, U.A.E. Following the interview, Plaintiffs' visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

314. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Adeleh Afsharpour, Hamidreza Pouladsanj, Alireza Pouladsanj, and A.P. have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Azamolsadat Seyed Abolhassani Nadaf and Amir Ostadzadeh

315. Plaintiff Azamolsadat Seyed Abolhassani Nadaf is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued. Plaintiff Azamolsadat Seyed Abolhassani Nadaf and her spouse, Plaintiff Amir Ostadzadeh, are the parents to one child, S.O., who has also been issued their DV-2025 immigrant visa.

316. Plaintiff Amir Ostadzadeh is a national of Iran and the spouse of Plaintiff Azamolsadat Seyed Abolhassani Nadaf. As such, they are the derivative beneficiary of Plaintiff Azamolsadat Seyed Abolhassani Nadaf, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

317. On or about May 4, 2024, Plaintiff Azamolsadat Seyed Abolhassani Nadaf received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS1148**.

318. Plaintiffs Azamolsadat Seyed Abolhassani Nadaf, Amir Ostadzadeh, and their child each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

319. On October 15, 2024, Plaintiffs Azamolsadat Seyed Abolhassani Nadaf, Amir Ostadzadeh, and their child attended their immigrant visa interview at the Consular Section of U.S. Embassy in Baghdad, Iraq.

320. Following the interview, Plaintiff Azamolsadat Seyed Abolhassani Nadaf and their child's visa applications were approved, and their immigrant visas were issued, however Plaintiff Amir Ostadzadeh's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

321. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Amir Ostadzadeh has been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Habib Fard Rafie, Neda Mokhberi, and S.F.R.

322. Plaintiff Habib Fard Rafie is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa.

323. Plaintiffs Neda Mokhberi, and S.F.R. are nationals of Iran and the spouse and minor child of Plaintiff Habib Fard Rafie. As such, they are the derivative beneficiaries of Plaintiff Habib Fard Rafie, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicants for DV-2025 immigrant visas.

324. On or about May 4, 2024, Plaintiff Habib Fard Rafie received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivatives consular case number **2025AS5322**.

325. Plaintiffs Habib Fard Rafie, Neda Mokhberi, and S.F.R. each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

326. On April 18, 2025, Plaintiffs Habib Fard Rafie, Neda Mokhberi, and S.F.R. attended their immigrant visa interview at the Consular Section of the U.S. Embassy in Abu Dhabi,

U.A.E. Following the interview, their visa applications were refused under section 221(g) of the INA, and placed in administrative processing.

327. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs Habib Fard Rafie, Neda Mokhberi, and S.F.R. have been refused under INA§ 221(g) and/or INA§ 212(f).

Plaintiffs Fereshteh Farzadfar and Milad Faizi

328. Plaintiff Fereshteh Farzadfar is a national of Iran, a 2025 Diversity Visa program selectee, and the principal applicant for a DV-2025 immigrant visa that has since been issued.

329. Plaintiff Milad Faizi is a national of Afghanistan and the spouse of Plaintiff Fereshteh Farzadfar. As such, they are the derivative beneficiary of Plaintiff Fereshteh Farzadfar, pursuant to their selection in the 2025 Diversity Visa Program, and the derivative applicant for a DV-2025 immigrant visa.

330. On or about May 4, 2024, Plaintiff Fereshteh Farzadfar received their 1NL, informing them of their selection for the DV-2025 program, and assigning them and their derivative consular case number **2025AS3056**.

331. Plaintiffs Fereshteh Farzadfar and Milad Faizi each paid the required \$330 Diversity Visa Lottery application fee, and timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

332. On January 16, 2025, Plaintiffs Fereshteh Farzadfar and Milad Faizi attended their immigrant visa interview at the Consular Section of U.S. Embassy in Ankara, Turkey.

333. Following the interview, Plaintiff Fereshteh Farzadfar's visa application was approved and their immigrant visa was issued, however Plaintiff Milad Faizi's immigrant visa application was refused under section 221(g) of the INA and placed in administrative processing.

334. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa application of Plaintiff Milad Faizi has been refused under INA§ 221(g) and/or INA§ 212(f).

Defendant Donald J. Trump

335. Defendant Donald J. Trump (“Defendant Trump”) is the President of the United States of America. On June 4, 2025, Defendant Trump issued PP10949, which Plaintiffs challenge in this action for exceeding his authority delegated by Congress. Defendant Donald J. Trump is sued in his official capacity.

Defendant Marco Rubio

336. Defendant Marco Rubio (“Defendant Rubio”) is the Secretary of the U.S. Department of State, the department under which the U.S. embassies and consulates operate. He is responsible for the overall administration of the Department, including the Bureau of Consular Affairs, which is responsible for the issuance of immigrant visas under the immigration laws of the United States. Defendant Marco Rubio has supervisory responsibility over the U.S. Embassies and Consulates. Defendant Marco Rubio is sued in his official capacity.

BACKGROUND

I. The Diversity Visa Program

337. The Immigration Act of 1990 created a new immigration category, the DV Program, to increase diversity in the U.S. immigrant population by providing 55,000 Diversity visas to nationals of countries that have had low immigration rates to the United States. Public Law 101-649; 8 U.S.C. § 1153(c).

338. The DV Program has led to a broader mix of nationalities represented in the U.S. immigrant population, making the U.S. better equipped to understand and relate to the diversity of the world abroad and incorporate the skills of a diverse workforce.

339. The Congressionally mandated program issues visas specifically for immigrants who are natives of countries and regions from where fewer than 50,000 immigrants came to the United States over the previous five years.

340. Congress has allocated 55,000 “diversity” immigrant visas (visas allowing admission as a lawful permanent resident, 8 U.S.C. § 1101(a)(20)) each year to randomly selected individuals from countries with historically low levels of immigration. *See id.* §§ 1151(e), 1153(c)(1)(A).

341. Each fiscal year, DOS grants approximately 55,000 diversity immigrant visas to individuals from countries underrepresented in the immigration process, which allows recipients who are granted admission to enter the U.S. as lawful permanent residents who may live and work in the United States indefinitely. *See* 8 U.S.C. §§ 1151(e), 1153(c)(1).

342. This year, around 3000 visas will be deducted from the 55,000 to be allocated and made available to the Nicaraguan Adjustment and Central American Relief Act (NACARA). For Plaintiffs, this means that they only have access to approximately 52,000 visas.

343. Eligible applicants enter a selection held once each fiscal year. 8 U.S.C. § 1153(c); 22 C.F.R. § 42.33.

344. Far more than 55,000 entries are received every year: more than 19 million entries were submitted for the FY-25 selection.

345. DOS looks at data and conditions each year to estimate how many selectees might be needed to meet the statutory limit of 55,000 immigrants.

346. Hopeful immigrants must submit entries during the application period, and from those entries, DOS then chooses eligible selectees to apply for immigrant visas.

347. Last year, the State Department selected and registered approximately 131,060 prospective applicants reasoning that, “this larger figure should ensure that all DV-2025 numbers can be used during fiscal year 2025.” U.S. Dep’t of State Visa Bulletin, Vol. X, No. 93 (September 2024).

348. With millions of entrants each year, a diversity visa entrant has less than a one percent chance to be selected to apply for the visa. The probability of being selected twice is approximately 0.00025%.

349. Each fiscal year, the Department must grant allocated diversity immigrant visas to eligible individuals from countries underrepresented in the immigration process, which allows recipients who are granted admission to enter the U.S. as lawful permanent residents. *See* 8 U.S.C. §§ 1151(e), 1153(c)(1).

350. A diversity visa selectee is entitled to apply for an immigrant visa only during the fiscal year for which the entry was submitted. *See* INA § 204(a)(1)(I)(ii)(II).

Selection and the KCC

351. In the first week of May, entrants must login to the Entrant Status Check (ESC) to find out if their entry has been selected for the DV program.

352. If a DV entrant is selected, the notification letter on the ESC instructs them to submit a visa application to be processed at the State Department’s Kentucky Consular Center (“KCC”). 9 FAM 502.6-4(c)(1), *KCC Role*.

353. KCC will hold the case until those selected are entitled to make a formal application for a visa at a U.S. consular office abroad. 9 FAM 502.6-4(c)(1)(b). Further, if the selectee follows

the instructions provided online via Entrant Status Check, KCC *will* process the case until those selected are instructed to appear for visa interviews at a U.S. embassy or consulate.

354. The INA and the Department's own policies clearly establish the timing that these duties must be undertaken in.

355. First, the INA sets an unyielding deadline of the end of the fiscal year for the yearly allocation of diversity visas. 8 U.S.C. § 1154(a)(1)(I)(ii)(II) (qualifying noncitizens "shall remain eligible only through the end of the specific fiscal year for which they were selected.")

356. Second, the Department's own policies make clear that "[e]ach month visa numbers will be allocated to applicants who are within the applicable rank cut-off for that month and have completed processing at KCC" and that "KCC will schedule interviews once (1) the selectee has submitted a complete DS-260; (2) the designated post has made an appointment available; (3) KCC has completed its processing of the selectee's case; and (4) the Visa Office has allocated a visa number to the selectee and, if any, the selectee's derivatives, and the selectee's case is the next case in the selection order." 9 FAM 502.6-4(c)(2)(c); 9 FAM 502.6-4(c)(1)(b); see also 9 FAM 503.4-4(A)(b) ("The monthly allotment of IV numbers is close to the maximum permissible.")

357. Nonetheless, Plaintiffs have waited upwards of **9 months** since attending their interviews and paying their visa application fees of \$330 per applicant.

358. In light of Plaintiffs' dire circumstances, delaying the mandatory duty to adjudicate Plaintiffs' applications, is unreasonable and constitutes agency action wrongfully withheld or unreasonably delayed.

DS-260 Submission and Interview Scheduling

359. Upon selection, a selectee “will be notified electronically via Entrant Status Check and instructed to complete Form DS-260, Online Application for Immigrant Visa and Alien Registration.” 9 FAM 502.6-4(d)(1)(a).

360. All DV applicants must submit the online DS-260 Immigrant Visa and Alien Registration Application. *Id.*

361. If the selectee follows “the instructions provided online via Entrant Status Check, the Department of State’s KCC *will* process the case until those selected are instructed to appear for visa interviews at a U.S. embassy or consulate.”

362. “Applicants are considered “documentarily qualified” for purposes of visa appointment scheduling when KCC confirms that the applicant has properly completed and submitted the DS-260.” FAM 502.6-4(c)(2)(c).

363. The State Department promulgates a monthly bulletin for the purposes of tracking and communicating visa allotments.

364. The monthly bulletin “summarizes the availability of immigrant visa numbers” for DV applicants.

365. “Each month visa numbers will be allocated to applicants who are within the applicable rank cut-off [reflected on the visa bulletin] for that month and have completed processing at KCC.” 9 FAM 502.6-4(c)(2)(c) (demonstrating a monthly pace of adjudication for applicants).

366. Department policy states that “KCC *will* schedule an appointment for a documentarily qualified applicant when his or her regional lottery rank number is about to become current.” FAM 502.6-4(d)(2) (establishing a clear policy for the timeline of adjudication).

367. On February 18, 2022, the FAM was updated to state “KCC will schedule an appointment for applicants that have completed processing at KCC *around the time* their regional program rank number is current.” FAM 502.6-4(d)(2).

368. When scheduling interviews, KCC uses the rank number, as is required by statute, to determine the order in which cases are eligible to be scheduled for appointments.

369. Because the Department must schedule a DV selectee for an immigrant visa appointment when his or her visa is about to be current to ensure a timely adjudication, the Visa Bulletin also shows the available DVs for the forthcoming month. (*e.g.*, a January Bulletin will show diversity allotments for January and February).

370. Recognizing the policy to schedule interviews before their visas are current and the intent of Congress to issue all allotted DVs, appointments are scheduled in consultation with posts around the world about two months in advance of the planned interview dates.

371. Additionally, DOS selects more than 55,000 entries to “ensure that all DV-2025 numbers can be used during fiscal year 2025.” U.S. Dep’t of State Visa Bulletin, Vol. X, No. 93 (September 2024).

372. If the Department did not over-select DV participants, it would not be able to use the full allocation of DV numbers.

373. For this reason, DV selectees with a low-rank order, as reflected in their case number, are more likely to get the opportunity to interview, while those with higher numbers are less likely to be scheduled. Selectees who were not scheduled by July 1, 2025, will likely not receive an interview nor an adjudication in time for the September 30, 2025, deadline.

II. The Immigrant Visa Interview and Adjudication

374. After completing a medical examination, and paying applicable fees, the applicant is interviewed by a consular officer at the beneficiary's applicable U.S. Embassy or consulate. During the interview, the applicant executes Form DS-260 by swearing to or affirming its contents and signing it before a consular officer. *See* 22 C.F.R. §42.67.

375. Every noncitizen executing an immigrant visa application “*must be interviewed by a consular officer* who shall determine on the basis of the applicant's representations and the visa application and other relevant documentation - (1) The proper immigrant classification, if any, of the visa applicant, and (2) The applicant's eligibility to receive a visa.” 22 C.F.R. § 42.62 (b).

376. The Department of State website instructs that at the end of one's immigrant visa interview at the U.S. Embassy or Consulate, the consular officer will inform the applicant whether their visa application is approved or denied. “If your visa is denied, you will be informed by the consular officer why you are ineligible to receive a visa.”¹

377. At the interview, a consular officer must issue a visa to an eligible applicant.\

378. Under 22 C.F.R. § 42.81(a), “when a visa application has been properly completed and executed before a consular officer in accordance with the provisions of the INA and the implementing regulations, the consular officer *must* issue the visa [or] refuse the visa under INA 212(a) or 221(g) or other applicable law.”

379. If the applicant is admissible to the United States, the consular officer “shall” issue the selectee an immigrant visa and may only refuse a visa “upon a ground specifically set out in the law or implementing regulations.” 22 C.F.R. § 40.6.

380. The FAM reiterates that “[o]nce an application has been executed, you must either issue the visa or refuse it [...]. You cannot temporarily refuse, suspend, or hold the visa for future

¹ “*The Immigrant Visa Process*,” U.S. Department of State, available at <https://bit.ly/3yNDpAG> (last accessed May 12, 2025).

action. If you refuse the visa, you must inform the applicant of the provisions of law on which the refusal is based, and of any statutory provision under which administrative relief is available.” 9 FAM § 504.9-2.

381. If the consular officer determines that a visa should be issued, the officer is required to arrange the appropriate visa documentation and sign and seal the immigrant visa, consistent with the requirements set forth in 22 C.F.R. § 42.73. “The immigrant visa shall then be issued by delivery to the immigrant or the immigrant’s authorized agent or representative.” *Id.* § 42.73(d).

382. Conversely, if the consular officer determines that the visa should be refused, the officer must have a basis for refusal that is “specifically set out in the law or implementing regulations.” 22 C.F.R. § 40.6.

383. The officer also must comply with the refusal procedure outlined in 22 C.F.R. § 42.81(b), which mandates, in relevant part, that the “consular officer shall inform the applicant of the provision of law or implementing regulation on which the refusal is based and of any statutory provision of law or implementing regulation under which administrative relief is available.”

384. There are no exceptions to the rule that once a visa application has been properly completed and executed before a consular officer, a visa must be either issued or refused. 9 FAM § 504.9-2.

385. Accordingly, any noncitizen to whom a visa is not issued by the end of the working day on which the application is made, or by the end of the next working day if it is normal post procedure to issue visas to some or all applicants the following day, must be found ineligible under one or more provisions of INA 212(a), 212(e), or 221(g). Furthermore, INA 221(g) is not to be used when a provision of INA 212(a) is applicable.

386. State Department guidelines provide additional details regarding the manner in which visa applications should be refused including a requirement that officers notify applicants, orally and in writing, who are refused a visa under INA 212(a) or 221(g). See 9 FAM § 504.11-3(A)(1) (setting forth the required contents of 212(a) and 221(g) refusal letters).

387. If the consular officer determines that the visa should be refused, the officer “shall provide the applicant a timely written notice” that states the basis for the denial and lists the specific provisions of the law under which the visa was refused. INA § 212(b), 8 U.S.C. § 1182(b); 22 § C.F.R. 41.121(b).

388. If the consular officer refuses the visa, he or she must inform the applicant orally and in writing, must inform the applicant of the provisions of law on which the refusal is based, and of any statutory provision under which administrative relief is available. 9 FAM 504.1-3(g); see 9 FAM § 504.11-2(A)(b).

389. The INA 221(g) refusal letter “**must** meet the following criteria: (a) State the provision of the law under which the visa is refused [and] (b) Neither encourage nor discourage the applicant from reapplying.” 9 FAM 504.11-3(A)(1) (e) (emphasis added).

390. Moreover, the letter “**must** [i]nclude the following language: (i) Please be advised that for U.S. visa purposes, including ESTA (see the ESTA website), this decision constitutes a denial of a visa. (ii) [...] If you fail to take the action requested within one year following visa denial under INA 221(g) of the Immigration and Nationality Act, then your petition will be permanently terminated under INA 203(g). 9 FAM 504.11-3(A)(1)(e)(c) (emphasis added).

391. If a consular officer determines that additional information is required from an applicant or that a Security Advisory Opinion – known as “administrative processing” – is necessary to determine an applicant’s eligibility, the officer must deny the application under INA

§ 221(g), pending future consideration once additional information is received or administrative processing is concluded. *See* 9 FAM § 504.11-3(B)(2)(a) (“If, after interviewing the applicant, you decide that an advisory opinion is necessary, you must first refuse the alien under INA 221(g),”).

392. If at a visa interview, allegedly derogatory information exists about an applicant or someone with a similar name to the applicant as determined by an algorithm, the consular officer receives a “red-light” response to one of the automated lookout systems. **Exhibit A**, *Declaration of Robert Jachim, dated April 10, 2025* ¶¶ 14, 15.

393. When a consular officer encounters a “red light,” the consular officer may request the applicant complete and return responses to Form DS-5535, Supplemental Questions for Visa Applicants (“DS-5535”).² *Id.* ¶ 15. The consular officer would use the DS-5535 response to submit a Security Advisory Opinion (“SAO”) which is handled by one of two divisions of the SAC: the Counterterrorism Division or the Screening Division. *Id.* ¶ 20.

394. As of April 10, 2025, Defendants have a mere 30 analysts addressing a backlog of 61,000 pending requests. *Id.* ¶¶ 22-25.

395. Because SAO requests are not addressed or resolved on a “first-in-first-out” basis, there is no queue for providing final adjudications of applications pending the outcome of SAO requests. *Id.* ¶¶ 26-27.

396. The Department’s regulations provide that “[w]hen a visa application has been properly completed and executed in accordance with the provisions of the INA and the implementing regulations, the *consular officer* must issue the visa [or] refuse the visa[.]” 22 C.F.R. § 41.121(a) (emphasis added). However, conflictingly, the FAM provides that, in cases in which

² Form DS-5535, *Supplemental Questions for Visa Applicants*, was created in 2017 to facilitate enhanced vetting related to the Trump administrations series of travel bans targeting Muslim-majority countries. *See* <https://www.federalregister.gov/documents/2017/05/04/2017-08975/notice-of-information-collection-under-omb-emergency-review-supplemental-questions-for-visa>.

an Advisory Opinion has been requested, “[u]nder no circumstances may a resolution of the question of eligibility be made before the Department’s [Advisory Opinion] is received.” 9 FAM 403.10-3(B).

397. Thus, the FAM places resolution of the question of eligibility out of the consular officer’s hands, in contravention of 22 C.F.R. § 41.121(a). This conflict is evidence of improper withholding of the adjudication of visa applications, which violates the strictures of 5 U.S.C. § 706(2).”

398. Previously the FAM included a section headed “Procedures in cases *deferred* for advisory opinions or other reasons:” (emphasis added). **Exhibit B**, 9 FAM § 504.11-3(B)(2)(a), (*before and after February 26, 2024*). The body of that section read, in part, “This procedure is also to be followed in other situations where the applicant has formally applied, but a *final determination is deferred* for additional evidence, further clearance, name check, or some other similar reason.”

399. In early 2024, Defendants changed the heading of that FAM section to read “Procedures in *cases requiring an AO*.” **Exhibit B**, 9 FAM § 504.11-3(B)(2)(a), (*before and after February 26, 2024*). Further, the body of that section now completely omits the smoking gun admission that “a final determination is deferred for.... further clearance.” *Id.*

400. The FAM section entitled “If an Advisory Opinion (AO) is Required,” has a subsection called “Procedures in cases requiring an AO.” 9 FAM § 504.11-3(A)(1). It states, “The consular section must use a tickler system as a reminder to send a follow-up request for [an Advisory Opinion request] response after a reasonable period has elapsed.” 9 FAM 504.11-3(a)(6)(a).

401. If a visa is refused, the application **must** be reconsidered if “within one year from the date of refusal [the applicant] adduces further evidence tending to overcome the ground of ineligibility on which the refusal was based.” 22 C.F.R. § 42.81(e) (emphasis added).

402. Because the DV program restarts each fiscal year, diversity visas may not be issued after midnight on September 30th of the fiscal year of the selection. *See* 8 U.S.C. § 1153(c)(1), 1154(a)(1)(I)(ii)(II); 22 C.F.R. § 42.33(a)(1)(d); *see also* 31 U.S.C. § 1102.

403. Importantly, all immigrant visas issued through the DV Program must be issued within the fiscal year in which they were selected and “under no circumstances may a consular officer issue a visa ... after the end of the fiscal year.” 22 C.F.R. § 42.33(a)(1); 8 U.S.C. § 1154(a)(1)(I)(ii)(II). *See also Mogu v. Chertoff*, 550 F.2d 107, 109 (D.D.C. 2008) (noting that “[a]t midnight on the last day of the fiscal year, any ‘lottery winner’ who is not already in possession of an immigrant visa number is no longer eligible to obtain a diversity visa based on her eligibility during the fiscal year.”)

404. When read together, the INA, regulations, and the Department policy require Defendants to process, interview, and issue visas to eligible visa applicants.

III. Defendants’ Mandatory Duty to Adjudicate Plaintiffs’ Visa Applications

405. The INA and the regulations pursuant to the INA impose on the Defendants a mandatory, affirmative, and non-discretionary duty to adjudicate properly filed immigrant applications.

406. “***All*** immigrant visa applications ***shall*** be reviewed and adjudicated by a consular officer.” 8 U.S.C. § 1202(b); *see* 22 C.F.R. § 42.62(a); (b) (emphasis added).

407. Congress requires that “[e]very alien applying for an immigrant visa...shall furnish to the consular officer with his application a copy of a certification by the appropriate police

authorities stating what their records show concerning the immigrant; a certified copy of any existing prison record, military record, and record of his birth; and a certified copy of all other records or documents concerning him or his case which may be required by the consular officer. The copy of each document so furnished shall be permanently attached to the application and become a part thereof.” 8 U.S.C. §1202(b) (emphasis added).

408. Every foreign national executing an immigrant visa application “*must be interviewed by a consular officer who shall determine on the basis of the applicant’s representations and the visa application and other relevant documentation - (1) The proper immigrant classification, if any, of the visa applicant, and (2) The applicant’s eligibility to receive a visa.*” 22 C.F.R. § 42.62 (b).

409. Courts have found that the Department of State has a mandatory duty to adjudicate a visa application. *See, e.g., Iddir*, 301 F.3d at 500 (duty to adjudicate applications under the diversity lottery program); *Patel*, 134 F.3d at 933 (duty to adjudicate visa application); *Yu*, 36 F. Supp. 2d at 932 (duty to process SIJ application in a reasonable amount of time); *Kai Hoo Loo*, 2007 U.S. Dist. LEXIS 17822, at *13 (“Indeed, numerous courts have found that immigration authorities have a non-discretionary duty to adjudicate applications.”); *Am. Acad. of Religion v. Chertoff*, 463 F. Supp. 2d 400, 421 (S.D.N.Y. 2006) (holding that the regulation stating that consular officials either “issue or refuse” a completed visa creates a duty to adjudicate).

410. Moreover, courts have determined that the duty to render a decision on an application is mandatory even where the underlying decision to be made by the agency is a discretionary one; thus, mandamus actions are appropriate to compel the government to exercise its discretion in a case where the government has failed to take any action. *See, e.g., Villa*, 607 F. Supp. 2d at 363 (duty to adjudicate adjustment application in a reasonable amount of time);

Dabone v. Thornburgh, 734 F. Supp. 195, 200 (E.D. PA. 1990) (holding the Board of Immigration Appeals owed the plaintiff a duty to adjudicate his motion to reopen an exclusion proceeding).

411. In the immigration context, an agency has a general duty to take some action, but does not have a duty to exercise its discretion in any certain manner. *Silveyra v. Moschorak*, 989 F.2d 1012, 1015 (9th Cir. 1993)(“[m]andamus may not be used to instruct an official how to exercise discretion unless that official has ignored or violated ‘statutory or regulatory standards delimiting the scope or manner in which such discretion can be exercised.’ ”); *Nigmadzhanov v. Mueller*, 550 F. Supp. 2d 540, 546 (S.D.N.Y. 2008) (the Attorney General has discretion to grant or deny an application, but does not have discretion to simply never adjudicate an adjustment application); *Soneji v. Dep’t of Homeland Sec.*, 525 F. Supp. 2d 1151, 1155 (N.D. Cal. 2007) (with respect to an APA claim, finding USCIS’ argument that it does not have to adjudicate an adjustment application “not only pushes the bounds of common sense but is also contradicted by a wealth of authority from this and other districts.”) (citing cases).

412. Also, agencies are bound by regulations which impose a duty on them to act. The Code of Federal Regulations requires that a visa applicant must be interviewed by a consular officer. *See* 22 C.F.R. § 42.62 (b) (“Every alien executing an immigrant visa application *must be interviewed by a consular officer* who shall determine on the basis of the applicant’s representations and the visa application and other relevant documentation - (1) The proper immigrant classification, if any, of the visa applicant, and (2) The applicant’s eligibility to receive a visa.”) (emphasis added); *see also* sections 101(a)(9), (16), 201(b)(2)(A)(i) of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101(a)(9), (16), 1201(b)(2)(A)(i); *Patel v. Reno*, 134 F.3d 929, 932 (9th Cir. 1997) (“A consular office is required by law to act on visa applications.”)

413. Further, the FAM requires that once the beneficiary's application is documentarily complete, an IV number can be allotted (if necessary) and an appointment must be scheduled at the consular post. 9 FAM 504.1-2 (b).

414. Plaintiffs are entitled to a decision on the immigrant visa applications. *See* 22 C.F.R. § 42.81(a) (“Issuance or refusal mandatory. When a visa application has been properly completed and executed before a consular officer in accordance with the provisions of INA and the implementing regulations, the consular officer must either issue or refuse the visa[.]”) (emphasis added); *see also* INA §§ 101(a)(9), (16), 201(b)(2)(A)(i); 8 U.S.C. §§ 1101(a)(9), (16), 1201(b)(2)(A)(i); *Patel v. Reno*, 134 F.3d 929, 932 (9th Cir. 1997) (“A consular office is required by law to act on visa applications.”)

415. If the consular officer refuses the visa, he or she must inform the applicant of the provisions of law on which the refusal is based, and of any statutory provision under which administrative relief is available. 9 FAM 504.1-3(g); *see* 9 FAM § 504.11-2(A)(b) (“There is no such thing as an informal refusal or a pending case once a formal application has been made.”); *see also Alharbi v. Miller*, 368 F.3d 527, 558 (E.D.N.Y. 2019) (holding that consular officers have a “nondiscretionary binary” duty to issue or refuse visas).

416. In addition, 22 C.F.R. § 40.6 states that “[a] visa can be refused only upon a ground specifically set out in the law or implementing regulations.”

417. A consular officer cannot temporarily refuse, suspend, or hold the visa for future action.

418. The Department of State website instructs that at the end of one's immigrant visa interview at the U.S. Embassy or Consulate, the consular officer will inform the applicant whether

their visa application is approved or denied. “If denied, you will be informed why you are ineligible to receive a visa.”³

419. The INA, its implementing regulations, and preexisting Department policies in the FAM all mandate timely adjudication of immigrant visa application.

420. Defendants have a mandatory duty to adjudicate Plaintiffs’ visa applications within a reasonable time. *Mohamed v. Pompeo*, No. 1:19-cv-01345-LJO-SKO, 2019 U.S. Dist. LEXIS 167266 (E.D. Cal. Sep. 27, 2019) (issuing a mandatory injunction ordering the DOS to complete adjudications of immigrant visa applications); 5 U.S.C § 555(b) (requiring agencies to, “within a reasonable time ... conclude the matter presented to it”); *Nine Iraqi Allies Under Serious Threat Because of Their Faithful Serv. to the United States v. Kerry* (“*Nine Iraqi Allies*”), 168 F. Supp. 3d 268, 293 n. 22, 295–96 (D.D.C. 2016).

421. If a visa is refused, the application must be reconsidered if “within one year from the date of refusal [the applicant] adduces further evidence tending to overcome the ground of ineligibility on which the refusal was based.” 22 C.F.R. § 42.81(e).

422. When read together, the INA, regulations, and DOS policy require applicants to submit their application including “documents concerning him or his case which may be required by the consular officer”, and then for Defendants to process, interview, and issue visas to eligible visa applicants. 8 U.S.C. §1202(b).

423. The INA, the Code of Federal Regulations, and the preexisting Department policies all mandate timely adjudication of immigrant visa applications and make clear that it is a mandatory duty on the Defendants.

³ See “*Diversity Visa Program*,” U.S. Department of State, available at <https://travel.state.gov/content/travel/en/us-visas/immigrate/diversity-visa-program-entry/diversity-visa-interview/diversity-visa-after-the-interview.html> (last accessed June 27, 2024).

IV. Presidential Proclamation 10949 and Defendants’ “No Visa Policy”

424. On June 4, 2025, Defendant Trump issued Presidential Proclamation 10949 entitled “Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public-Safety Threats.” 90 Fed. Reg. 24497 (June 10, 2025) (“PP 10949”).

425. Citing 8 U.S.C. §§ 1182(f) and 1185(a), and INA §§ 212(f), 215(a), PP10949 suspends the entry to the U.S. for nationals of 19 countries, divided into two tiers.

426. With few exceptions, the entry of all immigrants and non-immigrants is “fully suspended” for nationals of Afghanistan, Burma (Myanmar), Chad, the Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan and Yemen.

427. For nationals of Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela, entry into the U.S. is suspended for immigrants and for temporary visitors in the B-1/B-2 business-tourist category as well as F-1, M-1 and J-1 student and exchange visa classes.

428. PP10949 provides limited exceptions, including individuals with a current green card or a current valid visa; applications for immediate relatives of U.S. citizen visa categories (spouses, minor children, and parents); refugees, asylees, and individuals granted humanitarian protection; diplomats and NATO personnel; dual nationals traveling on a non-banned-country’s passport; children adopted abroad; Afghans seeking Special Immigrant Visas for their work helping U.S. armed forces; ethnic or religious minorities fleeing persecution in Iran; athletes, coaches, support staff, and immediate relatives of athletes participating in “major sporting events” like the World Cup and the Olympics; and any individual whose entry is deemed in the “national interest”, etc.

429. However, given the U.S. Refugee Assistance Program (“USRAP”) was already suspended indefinitely by Executive Order 14163, *Realigning the United States Refugee Admissions Program*, 90 Fed. Reg. 8459 (January 30, 2025), this exception seems in name only. Similarly, the exception for individuals who “would serve a United States national interest” (“NIE”) is elusive, as discussed below.

430. On June 7, 2025, the State Department announced its “**No Visa Policy**” on their website, officially titled “***Suspension of Visa Issuance*** to Foreign Nationals to Protect the United States from Foreign Terrorists and other National Security and Public Safety Threats.”⁴ (emphasis added).

431. The State Department emphasizes that “[i]n line with the Presidential Proclamation on ‘Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats,’ which takes effect on June 9, 2025, at 12:01 a.m. Eastern Daylight Time (EDT), the United States is ***fully or partially suspending*** entry for and ***visa issuance*** to nationals of 19 countries.” *Id.* (emphasis added)

432. The announcement further states that “Effective June 9, 2025 at 12:01 a.m. EDT, in line with the Presidential Proclamation on ‘Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats,’ the Department of State is ***fully suspending visa issuance*** to nationals of Afghanistan, Burma, Chad, Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen for all nonimmigrant and immigrant visa categories...” *Id.* (emphasis added).

⁴ See “Suspension of Visa Issuance to Foreign Nationals to Protect the United States from Foreign Terrorists and other National Security and Public Safety Threats,” U.S. Department of State, available at <https://travel.state.gov/content/travel/en/News/visas-news/suspension-of-visa-issuance-to-foreign-nationals-to-protect-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety-threats.html> (last accessed July 18, 2025)

433. The Department of State's implementation of entry restrictions imposed by Presidential Proclamations issued pursuant to Sections 212(f) and/or 215(a) of the INA has consistently resulted in a “No Visa Policy.”

434. “Since at least 1995, the Department of State has applied Presidential Proclamations issued pursuant to these authorities as a basis for visa refusal.” **Exhibit C**, *Declaration of Edward Ramowtowski*.

435. Further, the “No Visa Policy” reflects the State “Department's consistent historical understanding that the President's ‘suspension of entry,’ pursuant to the authorities in 212(f) and 215(a) of the INA, suspends the issuance of visas to applicants subject to those restrictions.” *Id.*

436. Furthermore, Defendants’ “No Visa Policy” is based on Defendants’ interpretation that “the INA requires the refusal of visas where section 212(f) applies and that the Department has no policy discretion to interpret section 212(f) differently. *Id.*

STATEMENT OF FACTS

437. Plaintiffs are 102 nationals of Afghanistan, Burma, Togo, Somalia, and Iran, and include 55 Diversity Visa selectees and 47 of their derivative beneficiaries for the 2025 Diversity Visa program.

438. Pursuant to their selection for the 2025, Diversity Visa Program, Plaintiffs are the applicants for a DV-2025 immigrant visa.

439. On or about May 4, 2024, Plaintiffs received their 1st Notification Letter (“1NL”), informing them of their selection for the DV-2025 program, and assigning them each a consular case number.

440. Pursuant to their selection for the DV-2025 program, Plaintiffs timely submitted their Forms DS-260, *Online Immigrant Visa and Alien Registration Application*.

441. Plaintiffs each paid the required \$330 Diversity Visa Lottery application fee. Together, Plaintiffs have paid a total of \$33,660.00 in application fees.

442. All Plaintiffs attended their immigrant visa interview at the Consular Section of their respective embassy.

443. Following the interview, the immigrant visa applications of Plaintiffs Maryam Almasi Kashi, Golnoosh Ezzatollahzadeh, Akram Radmand HasankiaDeh, Farzaneh Majedi, Pegah Etehad, Maryam Khademi Kohnehsahri, Malihsa Oladi, Somayeh Farhadifoumeshi, Zahra Farnaz Kazemzadeh Marand, Azamolsadat Seyed Abolhassani Nadaf, and their derivative beneficiary children, and Plaintiffs Parastoo Shoorche, Sarisa Ahmadi, Narjes Heydari, Zaynab Sadat Hassani, Masoumeh Jabbarzadeh, Nina Nejatbakhsh, Fereshteh Farzadfar, Sara Bozorgmehr were approved, and they were all issued their immigrant visas.

444. At the conclusion of the interview, all other Plaintiffs were informed that their applications would have to undergo mandatory administrative processing, and Plaintiffs' immigrant visa applications were refused under section 221(g) of the INA for administrative processing.

445. On June 4, 2025, Defendant Trump issued PP10949.

446. Defendants did not update Plaintiffs as to the status of their cases, and Plaintiffs continued to check their status online.

447. Plaintiffs' visa application statuses on the State Department CEAC website continued to show that their case was "Refused" and informs them that their cases were "refused for administrative processing, [that the] case will remain refused while undergoing such processing [and] will receive another adjudication once such processing is complete [...] you will be contacted if additional information is needed." Exhibit D, Plaintiffs' CEAC Case Status, Version 1.

448. Following the issuance of PP10949, and after receiving no information or updates, some Plaintiffs contacted the U.S. Embassy seeking information about the status of Plaintiffs' applications.

449. In response, Plaintiffs received emails from the U.S. Embassy informing them that "a consular officer found [Plaintiff] ineligible for an immigrant visa under Section 212(f) of the Immigration and Nationality Act, pursuant to [PP10949]. Today's decision cannot be appealed. Taking into account the provisions of the Proclamation, a National Interest Exception (NIE) will not be granted in your case." **Exhibit E**, *Embassy Emails*.

450. For some of those Plaintiffs who inquired with the U.S. Embassy, and have since received a response, their visa application statuses on the State Department CEAC website were updated to show that "A U.S. consular officer has adjudicated and refused your visa application. Please see the letter you received at the interview." **Exhibit F**, *Plaintiffs' CEAC Case Status Version 2*.

451. However, those Plaintiffs received 221(g) notices informing them that their cases were subjected to administrative processing and would receive a final decision once that processing was complete. Defendants did not provide Plaintiffs with a written visa refusal under section 212(f) informing them of why their visas were not issued, even though Defendants are obligated to provide such notice under the relevant statutes and regulations.

452. Upon information and belief, as of the time of the filing of this complaint, the immigrant visa applications of Plaintiffs and their derivatives have been refused under INA§ 221(g) and/or INA§ 212(f).

A. Harms to Plaintiffs

453. As a direct result of Defendants' failure to issue a decision on Plaintiffs' immigrant visa applications, Plaintiffs have experienced, and will continue to experience, severe, particularized, and concrete injury.

454. A diversity visa selectee is entitled to issuance of an immigrant visa during the fiscal year for which the entry was submitted. See INA § 204(a)(1)(I)(ii)(II)

455. The fiscal year will end on September 30, 2025, after which any diversity visa that was otherwise available, but not issued before the congressionally imposed deadline, will be lost.

456. Despite all their efforts, Plaintiffs are now facing the harrowing risk of losing their once-in-a-lifetime opportunity to immigrate to the U.S. in less than 70 days.

457. Due to the prolonged delay, Plaintiffs have incurred significant financial, academic, and professional hardships.

458. With every passing day, there is no update as to the cases, Plaintiffs' hopes diminish, and they grow more concerned that the year will pass without final adjudication and visa issuance.

459. The severe psychological harm that Plaintiffs are experiencing as a result of Defendants' delay is further compounded by the devastating prospect of imminent family separation as many Plaintiffs and their minor children have already immigrated to the United States due, leaving other family members awaiting adjudication behind

460. Plaintiffs hold professional degrees in fields in which they have many years of practical experience and training. Plaintiff's background and credentials will qualify them to obtain gainful employment in the United States in many sectors.

461. The delay has also caused irreparable harm to their professional careers as it has delayed their advancement—lost time which they will never be able to recover.

462. Plaintiffs have been forced to forfeit multiple lucrative prospects for employment due to the uncertainty of their futures.

463. The lack of adjudication has negatively affected Plaintiffs' careers quite seriously. Despite their experience and qualifications, they have been unable to secure long-term employment because they cannot commit to employment, or even give a definitive timeline to prospective employers.

464. Due to the uncertainty surrounding their visa application, Plaintiffs have been prevented from entering into employment contracts. These circumstances have placed an enormous financial burden on Plaintiffs.

465. Though the financial and professional hardships have been significant, Plaintiffs hardships are further augmented by the emotional and mental turmoil they suffer. The delay in adjudication of Plaintiffs' visa applications has caused them significant emotional harm and distress, as they placed their entire life on hold while they wait for Defendants to fulfill their mandatory duty to adjudicate their immigrant visa applications.

466. Plaintiffs are deeply troubled and concerned that Defendants will fail to finally adjudicate their visa applications before the imminent DV2025 deadline passes. If Defendants fail to administer their statutory duty, Plaintiffs will have wasted precious time that would have been better spent furthering their academic and employment aspirations.

467. Plaintiffs have spent a considerable amount of money on expenses related to the adjudication of their visas, including costly travel accommodations to attend their interviews.

468. Congress created a timetable of a calendar year to adjudicate diversity visas because Congress understood that it takes several months for individuals and the agency to work together to complete the adjudication of a diversity visa.

469. With only 70 days remaining in the fiscal year, Plaintiffs are in immediate danger of sustaining direct and irreparable injury as a result of Defendants' current policies, practices, acts, and omissions related to Plaintiffs' Diversity Immigrant Visa processing.

470. Plaintiffs have demonstrated, and Courts in this district have already found, that "Plaintiff has established 'dire' prejudice because they 'risk losing their (likely) once-in-a-lifetime opportunity to immigrate to the United States' and have demonstrated how delays in visa adjudication threaten their welfare." *Filazapovich v. Department of State*, 560 F.Supp.3d 203, 237 (D.D.C., 2021) (citing *Gomez III*, 2021 WL 3663535 at *19, *rev'd. on other grounds*, *Goodluck v. Biden*, 2024 WL 3152507), *rev'd. on other grounds*, 2024 WL 3152507. Defendants have acknowledged that Plaintiff is suffering from personal hardship as "the processing delay has impacted Plaintiff's lives."

471. The extremely low odds of selection, and thus, the unlikelihood of future selection, make it extremely unlikely that Plaintiffs will have this opportunity again. *Gomez v. Trump*, 485 F.Supp.3d 145, 164 n.3; *P.K. v. Tillerson*, 302 F. Supp. 3d 1, 10 (D.D.C. 2017) (finding loss of opportunity to immigrate to the U.S. was irreparable harm); *see also Mohamed v. Pompeo*, No. 1:19-cv-01345-LJO-SKO, 2019 U.S. Dist. LEXIS 167266, at *1 (E.D. Cal. Sept. 27, 2019) (finding that absent injunction, loss of DV opportunity would irreparably harm Plaintiff).

472. While the odds of selection in any given year are less than one percent, the odds of being selected in the subsequent year fall to 0.00025%. The injury to Plaintiffs' employment and educational prospects alone would be sufficient injury to make the lost opportunity adequate irreparable harm to support Court intervention. *Gomez*, 485 F.Supp.3d at 200; *Ariz. Dream Act Coalition v. Brewer*, 757 F.3d 1053, 1068 (9th Cir. 2014).

473. There is dire prejudice because Plaintiffs are at risk of losing their once-in-a-lifetime opportunity to immigrate to the United States.

474. Absent Court intervention, Plaintiffs will lose their opportunity to receive the Diversity immigrant visas for which they are eligible due solely to the unlawful practices of the Defendants and through no fault of their own.

475. Defendants' delay in adjudication is unreasonable and is causing irreparable injury to Plaintiffs. The physical, financial, and emotional stresses that Plaintiffs have suffered because of Defendants' failure to act have exacted a significant toll on Plaintiffs that will not be relieved until the visa applications are adjudicated in accordance with law.

B. PP10949 and Its Dire Negative Impacts

476. On his campaign trail, Defendant Trump repeatedly promise to reinstate the Muslim Ban, and was also put in writing in Project 2025, drafted by former and current Trump officials.

477. PP10949 ordered a sweeping "full suspension of entry" for immigrants on nationals from 19 countries, with limited exceptions.

478. Although PP10949 purports to be supported by national security justifications, those justifications are contradicted by all established research. Indeed, they appear to have been created out of whole cloth and without any consideration of the issues

479. According to CATO Institute,

A total of 237 foreign-born terrorists were responsible for 3,046 murders on US soil from 1975 through the end of 2024. The chance of a person perishing in a terrorist attack committed by a foreigner on U.S. soil over those 50 years was about 1 in 4.6 million per year. ... For instance, the annual chance of being murdered in an attack committed by an illegal immigrant terrorist is zero.⁵

⁵ Alex Nowrasteh, *Terrorism and Immigration*, CATO Inst., Pol'y Anal. No. 911, Mar. 10, 2025, available at: <https://www.cato.org/policy-analysis/terrorism-immigration-50-years-foreign-born-terrorism-us-soil-1975-2024>.

See also **Exhibit G**, *Articles on the Unparalleled Consequences of PP10949*.

480. However, PP10949 will create dire negative economic consequences to the national interest of the U.S. The Congress has found, and economic studies consistently show, that *increased* immigration levels into the U.S. have had *positive* impacts on the employment levels and incomes of U.S.-born workers.⁶ This is because foreign-born workers innovate more, creating jobs and increasing the productivity of U.S. workers;⁷ they complement, rather than compete with, U.S.-Born workers in the workforce;⁸ and they participate in the economy as consumers, stimulating demand.⁹

481. PP10949's sweeping ban on both immigrant and nonimmigrant entry for the two-tier country list, which the Department of State has decided to implement by refusing to issue visas in any of the covered categories, is therefore directly and irrationally contrary both to decades of Congressional judgment. By dramatically limiting the number of foreign nationals entering the

⁶ See, e.g., Jacqueline Varas, Am. Action Forum, *How Immigration Helps U.S. Workers and the Economy* (Mar. 20, 2017), <https://goo.gl/ovHQEh>; U.S. Chamber of Commerce, *Immigration Myths and Facts* (Apr. 14, 2016), <https://tinyurl.com/yay4xjm9>.

⁷ Giovanni Peri & Chad Sparber, Global Migration Center, *Presidential Executive Actions Halting High Skilled Immigration Hurt the US Economy*. Website: <https://globalmigration.ucdavis.edu/presidential-executive-actions-halting-high-skilled-immigration-hurt-us-economy>.

⁸ See, e.g., Matthew Denhart, George W. Bush Institute, *America's Advantage: A Handbook on Immigration and Economic Growth* 70, 118 (3d ed., Sept. 2017), <https://tinyurl.com/y4ykokn9>; Gretchen Frazee, *4 Myths About How Immigrants Affect the U.S. Economy*, PBS NewsHour (Nov. 2, 2018), <https://tinyurl.com/yxlwzkth>; Maria E. Enchautegui, *Immigrant and Native Workers Compete for Different Low-Skilled Jobs*, The Urban Institute: Urban Wire (Oct. 13, 2015), website: <https://tinyurl.com/ycayp6ky>; U.S. Chamber of Commerce, *supra* note 18.

⁹ Kenneth Megan, Bipartisan Policy Ctr., *Immigration and the Labor Force* (Aug. 25, 2015), <https://goo.gl/8p3SP8> (“[A] breadth of research indicates that immigration can be complementary to native born employment, as it spurs demand for goods and services”); Giovanni Peri, *The Effect of Immigrants on U.S. Employment and Productivity*, Fed. Reserve Bank of S.F. Econ. Letter (Aug. 30, 2010), website: <https://www.frbsf.org/research-and-insights/publications/economic-letter/2010/08/effect-immigrants-us-employment-productivity/>; Buttonwood, *Keep on Trucking*, The Economist (Feb. 11, 2012), <https://goo.gl/x8vqaL> (“When people work for a living, they earn money. They spend that money on goods and services that are produced by other people.”)

U.S. economy at a time when the stagflation is on the horizon, PP 10949 hinders economical development.

482. The dire consequences of PP10949 are much more severe, projecting about 120,000 non-exempt permanent immigrants and over half a million temporary travelers, family separation and human suffering, costing billions of dollars income and tax revenue, as well as disrupting “the way knowledge about health is shared”. **Exhibit G**, *Articles on the unparalleled consequences of PP 10949*.

483. As discussed above, the justification for PP10949 is also flimsy. **Exhibit G**, *Articles on the Unparalleled Consequences of PP10949*. On balance, the costs of the travel ban far exceed benefits from it. This failed equation further calls for the deliberating body of Congress instead of the executive department.

C. Separation of Powers and Nondelegation Doctrine

484. In 2018, the Supreme Court upheld the third version of then Defendant Trump’s Proclamation No. 9645, *Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats*. 82 Fed. Reg. 45161 (Sep. 27, 2017) (“Muslim Ban”) after the first two versions were initially struck down. *Trump v. Hawaii*, 585 U.S. 667, 138 S. Ct. 2392 (2018). The court’s flawed ruling precludes challenges based on discriminatory intent despite overtly overruling *Korematsu v. United States*, 323 U.S. 214, 65 S. Ct. 193 (1944). *Trump v. Hawaii*, 585 U.S. at 710, 138 S. Ct. at 2423.

485. The high court, however, did not address whether in issuing the Muslim Ban, the then President exceeded his delegated authority from the Congress. 8 U.S.C. 1182(f).

486. The controlling of immigration to the U.S. has always been Congressional prerogative. Despite not enumerated, the Constitution explicitly grants Congress the exclusive

federal plenary power to establish a “uniform Rule of Naturalization”, as well as the enumerated power to regulate foreign commerce. U.S. CONST. ART. I, § 8, Cls 3-4. Such sovereign power traced as back as Alien Enemies Act of 1798, 50 U.S.C.S. § 21. In the 1889 *Chinese Exclusion Case* that upheld the deeply racist Chinese Exclusion Act of 1882 the Supreme Court stated that the authority belongs to “the legislative department.” 130 U.S. 581, 603, 9 S. Ct. 623, 629 (1889). The Supreme Court provided that “the formulation of these policies is entrusted exclusively to Congress has become about as firmly embedded in the legislative and judicial tissues of our body politic as any aspect of our government”. *Kleindienst v. Mandel*, 408 U.S. 753, 767 (1972) (citing *Lem Moon Sing v. United States*, 158 U.S. 538, 547 (1895)); *United States ex rel. Knauff v. Shaughnessy*, 338 U.S. 537, 543, 70 S. Ct. 309, 313 (1950) (“[n]ormally Congress supplies the conditions of the privilege of entry into the United States.”)

487. It is the role of Congress, not the President, to “exclude aliens altogether or prescribe terms and conditions upon which they may come into or remain in this country.” *See Fok Young Yo v. United States*, 185 U.S. 296, 302 (1902).

488. In that role, and pursuant to that power, Congress has crafted a complex and carefully balanced system of immigrant and nonimmigrant visas, and in doing so considered the effects that the issuance of visas and entry of foreign nationals may have on the U.S. economy and labor market, as well as the security risks, if any, to the public.

489. In contrast, the President does not have a unilateral power to limit the flow of immigration in peace and normal times. U.S. CONST. ART. II. And we are in a peaceful and normal time. *Contra. Knauff*, 338 U.S. at 543 (“during a time of national emergency”).

490. In this context, Congress cannot be understood to have delegated to the President (through 8 U.S.C. § 1182(f) or § 1185(a)) the authority to override decades of Congressional judgment regarding the interaction of immigration policy and the labor market.

491. The delegation from the Congress to the President in the broad language of 8 U.S.C. §§1182(f) and/or 1185(a), cannot be without limits, especially when the consequence of such action has grave and devastating consequences. *Doe v. Trump*, 957 F.3d 1050, 1067 (9th Cir. 2020); *V.O.S. Selections, Inc. v. United States*, Nos. 25-00066, 25-00077, 2025 Ct. Intl. Trade LEXIS 67, at *37 (Ct. Int'l Trade May 28, 2025); *West Virginia v. EPA*, 597 U.S. 697, 741, 142 S. Ct. 2587, 2619 (2022) (citing *Industrial Union Dept., AFL-CIO v. American Petroleum Institute*, 448 U. S. 607, 645, 100 S. Ct. 2844, 65 L. Ed. 2d 1010; and *Mistretta v. United States*, 488 U. S. 361, 373, n. 7, 109 S. Ct. 647, 102 L. Ed. 2d 714 (1989).)

492. To the extent that 8 U.S.C. §§ 1182(f) and/or § 1185(a) could be interpreted to delegate to the President authority to engage in domestic policy-making concerning purely economic matters such as the labor market, the statutes provide no intelligible principle to guide the President's exercise of discretion. They therefore violate constitutional nondelegation principles and are invalid. *See Doe v. Trump*, 418 F. Supp. 3d 573, 589-93 (D. Or. 2019). A Proclamation issued under such an unconstitutional delegation of legislative authority is invalid, null, and void.

493. PP10949 is accordingly in conflict with the INA or the Constitution, and in either case it impermissibly violates the Constitution's separation of powers. It is therefore invalid, null, and void.

D. Defendants' "No-Visa Policy" Violates the APA

494. The Department’s policies, procedures, and practices suspending immigrant visa applications for Plaintiffs and their derivative beneficiaries (“No Visa Policy”) relies in part on PP10949.

495. PP10949 preclude entry into the United States for individuals subjected to the Proclamations. The Proclamations do not ban adjudication of immigrant visas.

496. Contrary to 8 U.S.C. § 1202(b) and (d), Defendants have denied consular officers from performing their rights and duties—that is, Defendants have denied consular officers the authority to adjudicate immigrant visa applications. Cf. § 1104(a) (denying the Secretary of State of “those powers, duties, and functions conferred upon the consular officers relating to the granting or refusals of visas”).

497. The Department’s policies, procedures, and practices suspending immigrant visa applications for Plaintiffs and their derivative beneficiaries also conflate PP10949’s suspension of entry with a ban on visa issuance. PP 10949 do not preclude the issuance of immigrant visas for Plaintiffs and their derivative beneficiaries.

498. Defendants have explicitly applied these improper and unlawful prerequisites to Plaintiffs.

499. Section 212(f) of the INA reads, in relevant part, as follows: “Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.” 8 U.S.C. 1182(f).

500. There is no language in Section 212(f) that gives the President the authority to suspend the adjudication of visas. Moreover, while previous presidents have relied on Section 212(f) to preclude the entry of certain immigrants, there is no precedent that Section 212(f) was utilized to prevent the adjudication of visas.

501. Federal courts have found that the President does not have authority under INA § 212(f) to suspend the adjudication of immigrant visas. *Rai v. Biden*, 567 F. Supp. 3d 180, 194 (D.D.C. 2021) (“While Proclamations 9984 and 10143 address the entry of immigrants into the country, they say nothing about the issuance and adjudication of visas.”); *Nine Iraqi Allies*, 168 F. Supp. 3d at 290-91; *Gomez v. Trump*, 485 F. Supp. 3d 145, 176 (D.D.C. 2020); *Moghaddam v. Pompeo*, 424 F. Supp. 3d 104, 114 (D.D.C. 2020).

502. Accordingly, Defendants’ policies, procedures, and practices suspending the adjudication and issuance of immigration visas are reviewable under the APA because the agency is violating the INA and federal regulations by refusing to adjudicate the visa applications for individuals subjected to Presidential Proclamations suspending entry thereby improperly relying on Section 212(f).

CAUSES OF ACTION

COUNT ONE

Separation Of Powers/Nondelegation Doctrine

503. Plaintiffs repeat and incorporate by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

504. The controlling of immigration to the U.S. has always been Congressional prerogative. *Mandel*, 408 U.S. at 767.

505. In contrast, the President does not have a unilateral power to limit the flow of immigration in peace and normal times. And we are in a peaceful and normal time.

506. The Congress, via Section 212(f) of the INA delegated authority to suspend the entry of certain noncitizen, which reads, in relevant part, as follows: “[w]henver the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.” 8 U.S.C. 1182(f).

507. However, the delegation from the Congress to the President in the broad language of 8 U.S.C. 1182(f) has its limits. *Doe v. Trump*, 957 F.3d 1050, 1067 (9th Cir. 2020).

508. Firstly, the consequence of such action has grave and devastating consequences, especially for Diversity Visa applicants. The unparalleled consequence of PP10949 are numerous and against the national interest of the U.S. Secondly, the justification of PP10949 is flimsy, divorced from national security concerns, and does not reasonably justify such dire consequences.

509. The administration is further considering expanding the travel ban despite the undesired consequences and lack of deliberation and/or reasonable basis. PP10949 exceeds the express delegation of 8 U.S.C. 1182(f) and encroaches the inherent power of the Congress.

510. The court has equity power to enjoin the President to discharge a duty over which he has no discretion. *Aviel v. Gor*, No. 25-5105, 2025 U.S. App. LEXIS 13945, at *14 (D.C. Cir. June 5, 2025).

511. PP10949 is unlawful based on the nondelegation doctrine and is in violation of the separation of powers.

COUNT TWO: U.S.C. § 706(2)(C)
The No Visa Policy is Not in Accordance with the Law

512. Plaintiffs repeat and incorporate by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

513. PP10949 is in excess of the President’s authority under Sections 212(f) and 215(a) of the INA (8 U.S.C. §§ 1182(f), 1185(a)) and expressly overrides the INA.

514. The President may not “nullify[] Congress’s considered judgments on matters of immigration.” *See Hawaii v. Trump*, 878 F.3d 662, 685 (9th Cir. 2017), *rev’d on other grounds*, 138 S. Ct. 2392 (2018); *see Doe v. Trump*, 957 F.3d 1050, 1067 (9th Cir. 2020) at (proclamation at issue “rais[es] serious questions as to whether the President has effectively rewritten provisions of the INA.”); *cf. Hawaii*, 138 S. Ct. at 2411 (“We may assume that §1182(f) does not allow the President to expressly override particular provisions of the INA.”).

515. In *Gomez v. Trump*, the Court found that sections 1201(g) and 1182(a) do not authorize State to suspend visa adjudications when the President suspends entry. 485 F. Supp. 3d at 192.

516. In *Milligan v. Pompeo*, the Court found that “Plaintiffs have shown that a preliminary injunction is warranted on their section 1182(f)-related claim, the Court will enjoin the State Department from relying on the Presidential Proclamations to suspend all visa adjudications for Proclamation Plaintiffs.” 502 F. Supp. 3d 302, 322 (D.D.C. 2020).

517. In *Young v. Trump*, the Court found “Defendants have identified no apt statutory authority that permits DOS to suspend the processing of visa applications for applicants who are covered by the Proclamation.” 506 F. Supp. 3d 921, 945 (N.D. Cal. 2020).

518. In *Tate v. Pompeo*, the Court found “Plaintiffs have shown that a preliminary injunction is warranted on their claim that defendants’ implementation of the Presidential Proclamations under § 1182(f) to suspend issuance of O visas in Proclamation-designated

countries violates the APA, and the State Department is enjoined from relying on the Presidential Proclamations to suspend or refuse visa adjudications for those plaintiffs covered by the Proclamations.” 513 F. Supp. 3d 132, 154 (D.D.C. 2021).

519. As such, it is well settled law that Defendants cannot rely on INA § 212(f) to refuse adjudication of immigrant visas. *Rai v. Biden*, 567 F. Supp. 3d 180 (D.D.C. 2021).

520. Congress has afforded consular officers the authority to issue visas to immigrants “who ha[ve] made proper application therefore.” 8 U.S.C. § 1201(a)(1).

521. Neither § 1182(f) nor § 1185(a) permits the President by proclamation to suspend consular officers’ discretion to issue visas in cases where proper applications have been made.

522. Neither § 1182(f) nor § 1185(a) permits the Department’s suspended adjudication of immigration visas.

523. The Court has inherent equitable power to enjoin actions by federal officers in excess of their lawful authority. *See, e.g., Sierra Club v. Trump*, 929 F.3d 670, 694 (9th Cir. 2019) (“The Supreme Court has ‘long held that federal courts may in some circumstances grant injunctive relief against’ federal officials violating federal law.”) (quoting *Armstrong v. Exceptional Child Ctr., Inc.*, 135 S. Ct. 1378, 1384 (2015)); *E.V. v. Robinson*, 906 F.3d 1082, 1090–91 (9th Cir. 2018) (acknowledging freestanding cause of action for “suits alleging that a federal official acted ultra vires of statutorily delegated authority” or “violated the Constitution”); *Trudeau v. Fed. Trade Comm’n*, 456 F.3d 178, 189–190 (D.C. Cir. 2006) (“[J]udicial review is available when an agency acts ultra vires, even if a statutory cause of action is lacking.”) (quotation marks omitted).

COUNT THREE: 5 U.S.C. § 706(2)(A)
The No Visa Policy is Arbitrary and Capricious

524. Plaintiffs repeat and incorporate by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

525. PP10949 restricts the entry of certain immigrants into the United States. The entry bans contained in the proclamations are not plausibly or rationally related to a suspension on visa adjudication.

526. Defendants have disregarded the serious reliance interests engendered by Congress for the DV-2025 program. Defendants must, in addition to demonstrating that there are good reasons for the new policy, offer “a reasoned explanation ... for disregarding facts and circumstances that underlay or were engendered by the prior policy.” *FCC v. Fox Television*, 556 U.S. 502, 515 (2009).

527. In FY2020, the Department suspended the adjudication of Diversity Visas from March 2020 until the *Gomez* Court issued its preliminary injunction on September 4, 2020. The *Gomez* Court found that defendants had no legal basis to reason that presidential proclamations suspending entry permitted the Department of State to suspend adjudication of diversity visas.

528. Similarly, Defendants here have no legal basis to rely on PP10949 to find that suspension of entry permits the Department to suspend adjudication and issuance of Plaintiffs’ DV-2025 Immigration Visas.

529. Thus, the restrictions on entry imposed by PP10949 are not grounds for the Department to depart from the stated policies and regulations that mandate adjudication of immigration visa applications.

530. Because PP10949 does not give the authority to the Department to suspend adjudication of Plaintiffs’ Immigrant Visas, Defendants’ actions are arbitrary, capricious, and not in accordance with law. *Rai v. Biden*, 567 F. Supp. 3d 180 (D.D.C. 2021).

COUNT FOUR: Violation of the APA, 5 U.S.C. § 706(2)
Withholding of Plaintiffs' Immigrant Visa Applications

531. Plaintiffs repeat and incorporate by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

532. The Department is an Agency subject to the requirements of the Administrative Procedure Act 5 U.S.C. § 701(b)(1).

533. Under 5 U.S.C. § 706(2), courts shall hold unlawful and set aside agency action that is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations; or without observance of procedure required by law.

534. The APA defines action, in part, as a “failure to act.” 5 U.S.C. § 551(13).

535. The APA authorizes courts to compel agency action for two distinct types of “failures to act” – (1) unlawful withholding of agency action or (2) unreasonable delay of agency action. 5 U.S.C. § 706(1).

536. Here, Defendants have unlawfully withheld agency action in contravention of statutes, regulations, and stated policy pronouncement.

537. Plaintiffs have fulfilled all requirements, paid all fees, and are otherwise eligible for an immigrant visa. Yet Defendants have failed to adjudicate Plaintiffs' visa applications within a reasonable time and have instead unlawfully withheld agency action, leaving Plaintiffs in an indefinite limbo.

538. The implementation of Defendants' No Visa Policy's withholding and delaying the adjudication and issuance of Plaintiffs' Diversity Visas constitutes a final agency action that is reviewable by this Court. *Whitman*, 531 U.S. at 478; *Bennett v. Spear*, 520 U.S. 154, 177–78 (1997).

539. Agency action “cover[s] comprehensively every manner in which an agency may exercise its power.” *Whitman*, 531 U.S. at 478.

540. Agency action that is final is “mark[ed by] the consummation of the agency’s decision-making process” and “be one by which rights or obligations have been determined, or from which legal consequences will flow.” *Bennett v. Spear*, 520 U.S. 154, 177–78 (1997).

541. As established above, Defendants have failed to timely adjudicate Plaintiffs’ immigrant visa applications, effectively suspending the processing and adjudication of a visa application for otherwise qualified and eligible applicants.

542. In this case, the legal consequences flowing from the consummation of the State Department’s decision-making process are the Defendants’ withholding and delay in processing and adjudication of Plaintiffs’ immigrant visas well beyond the September 30, 2025 deadline. *Bennett*, 520 U.S. 154; *Cal. Cmty. Against Toxics v. EPA*, 934 F.3d 627, 637 (D.C. Cir. 2019); *Appalachian Power Co. v. EPA*, 208 F.3d 1015, 1023 (D.C. Cir. 2000); *Ciba-Geigy Corp. v. EPA*, 801 F.2d 430, 438 (D.C. Cir. 1986).

543. Defendants’ policies including their “No Visa Policy” withhold and delay the adjudication of Plaintiffs’ diversity visas and constitute final agency action because Defendants’ policies indefinitely end Plaintiffs’ diversity visa applications beyond the statutory deadline.

544. Defendants’ policies, procedures, and practices suspending the adjudication of immigrant visas for Plaintiffs are arbitrary and capricious, an abuse of discretion, and not in accordance with law because the Defendants lack the statutory authority to unilaterally withhold and delay the adjudications of immigrant visas for Plaintiffs.

545. The No Visa Policy’s withholding and delay of the adjudication of immigrant visa applications for Plaintiffs strips the Congressionally mandated entitlements of DV-2025 program

selectees and their derivative beneficiaries and it does so by rewriting the immigration laws and contradicting the priorities adopted by Congress.

546. Defendants’ inaction, in this case, creates jurisdiction. *Moghaddam v. Pompeo*, 424 F. Supp. 3d 103, 114 (D.D.C. 2020) (quoting *Patel v. Reno*, 134 F.3d 929, 931–32 (9th Cir. 1997)); see also *Nine Iraqi Allies Under Serious Threat Because of Their Faithful Serv. to the United States v. Kerry* (“*Nine Iraqi Allies*”), 168 F. Supp. 3d 268, 290–91 (D.D.C. 2016) (“When the Government simply declines to provide a decision in the manner provided by Congress, it is not exercising its prerogative to grant or deny applications but failing to act at all.”).

547. Plaintiffs were harmed by Defendants’ inaction and delay.

548. Plaintiffs will continue to be irreparably harmed by these unlawful acts absent an injunction from this Court enjoining Defendants from withholding adjudication of Plaintiffs’ immigrant visa applications.

COUNT FIVE: Violation of the APA, 5 U.S.C. § 706(1)
Withholding of a Mandatory Entitlement Owed to Plaintiffs

549. Plaintiffs incorporate and re-allege the foregoing paragraphs as though fully set forth herein.

550. Section “706(1) grants judicial review if a federal agency has a ‘ministerial or non-discretionary’ duty amounting to a ‘specific, unequivocal command.’” *Anglers Conservation Network v. Pritzker*, 809 F.3d at 670.

551. Under section 706(1) of the APA, the court may “compel agency action unlawfully withheld.” 8 U.S.C. § 706(1).

552. The timely adjudication of and decision on properly filed pending applications are not optional. This is not committed to agency discretion, nor are the statutes, regulations, and policies, so broad as to provide no meaningful standard to judge the agency’s action. Rather, these

duties and how Defendants must undertake them are detailed in the INA, the FAM, and its governing regulations.

553. Defendants' conduct is contrary to the INA's mandate that "[a]ll immigrant visa applications *shall* be reviewed and adjudicated by a consular officer" 8 U.S.C. § 1202(b), (d); 22 C.F.R. § 42.62(a); (b), and 8 U.S.C. § 1201(a)(1) which provides that a "consular officer may issue" a visa to an individual who has "made proper application therefor,"

554. Pursuant the INA, Defendants owe a nondiscretionary duty to Plaintiffs, which require that all immigrant and nonimmigrant visa applications "*shall* be reviewed and adjudicated by a consular officer" and creates a discrete, legally required action. 8 U.S.C. § 1202(b), (d).

555. Congress's use of the word "shall" imposes a mandatory non-ministerial duty on consular officers to review, adjudicate, and issue fiancé visas. *Sierra Club v. E.P.A.*, 705 F.3d 458, 467 (D.C. Cir. 2013) ("the word 'shall' ... evidences a clear legislative mandate...").

556. Likewise, the Code of Federal Regulations is unambiguous that Defendants have a mandatory and affirmative duty to interview immigrant visa applicants and adjudicate a properly filed immigrant visa application. Under 22 C.F.R. § 42.81(a), "when a visa application has been properly completed and executed before a consular officer in accordance with the provisions of the INA and the implementing regulations, the consular officer *must* issue the visa [or] refuse the visa under INA 212(a) or 221(g) or other applicable law."

557. Defendants have a "nondiscretionary, ministerial" duty to act. The INA governs visa processing and "confers upon consular officers' exclusive authority to review applications for visas. *Saavedra Bruno v. Albright*, 197 F. 3d 1153, 1156 (D.C. Cir. 1999); *see also* § 201(e), INA §§ 101(a)(9), (16); a "consular office is required by law to act on visa applications." *Patel v. Reno*, 134 F.3d 929, 932 (9th Cir. 1997).

558. Defendants owe Plaintiffs a nondiscretionary, ministerial duty to act upon the immigrant visa applications, one that they have failed to fulfill. *See* INA §201(e); INA §§ 101(a)(9), (16); 22 C.F.R. § 42.62; *see also, e.g., Donovan v. United States*, 580 F.2d 1203, 1208 (3d Cir. 1978) (holding that mandamus is an appropriate remedy whenever a party demonstrates a clear right to have an action performed by a government official who refuses to act).

559. Defendants have refused to adjudicate Plaintiffs’ immigrant visa applications despite Plaintiffs’ being eligible for final adjudication and visa issuance.

560. Defendants are unlawfully withholding discrete action they are required to take within the temporal limits imposed by statute and the express intent of Congress, and as outlined above they have failed to adjudicate Plaintiffs’ immigrant visa applications in contravention of that nondiscretionary duty.

COUNT SIX: Administrative Procedure Act, 5 U.S.C. § 555(b)
Unreasonably Delayed Adjudication

561. Plaintiffs incorporate and re-allege the foregoing paragraphs as though fully set forth herein.

562. Pursuant to the APA, Defendants have a nondiscretionary duty “to conclude a matter presented to it” “within a reasonable time.” *See* 5 U.S.C. § 555(b).

563. Pursuant to the APA, 5 U.S.C. §706(1), a court may “compel agency action unlawfully withheld or unreasonably delayed.” *See* 5 U.S.C. § 706(1).

564. Plaintiffs’ claims arise in the context of the concrete statutory deadline for visa issuance, which “provides a clear ‘indication of the speed with which [Congress] expects the agency to proceed in’ processing diversity lottery selectees’ visa applications.” *Gomez I*, 485 F. Supp. 3d at 196 (*quoting Telecomms. Research & Action Ctr. v. FCC*, 750 F.2d 70, 80 (D.C. Cir. 1984) (TRAC), and citing 8 U.S.C. § 1154(a)(1)(I)(ii)(II)).

565. Plaintiffs' claims also implicate the statutory mandates that "[a]ll immigrant visa applications *shall* be reviewed and adjudicated by a consular officer," 8 U.S.C. § 1202(b) (emphases added).

566. Defendants have unreasonably delayed adjudication Plaintiffs' immigrant visa applications since the submission of the applications and all required fees and documents, and completion of their consular interviews.

567. Defendants have unreasonably delayed processing Plaintiffs' visa applications under *Telecommunications Research & Action Center v. FCC* ("TRAC"), 750 F.2d 70, 79 (D.C. Cir. 1984).

568. The INA provides a clear "indication of the speed with which it expects the agency to proceed in" processing diversity lottery selectees' visa applications—that is, "only through the end of the specified fiscal year for which they were selected." 8 U.S.C. § 1154(a)(1)(I)(ii)(II); TRAC, 750 F.2d at 80.

569. The indication of speed present in 8 U.S.C. § 1154(a)(1)(I)(ii)(II) clearly correlates with the second TRAC factor in establishing a September 30 deadline; moreover, "reasonable time for agency action is typically counted in weeks or months, not years." *In re Am. Rivers & Idaho Rivers United*, 372 F.3d 413, 419 (D.C. Cir. 2004).

570. Plaintiffs' human welfare is "at stake" in this case and prejudice from delay here is unconscionable and irreversible—if Defendants' neglect adjudication of Plaintiffs' visa applications, Plaintiffs will intolerably, permanently lose their once in a life time opportunity to immigrate to the United States. TRAC, 750 F.2d at 80.

571. Defendants’ blatant disregard for the time sensitive nature of the Diversity Visa Program ultimately shows—although not needed to satisfy the *TRAC* analysis—that Defendants act with impropriety in creating “agency lassitude.” *TRAC*, 750 F.2d at 80.

572. Defendants have failed to adjudicate immigrant visas for Plaintiffs within a reasonable time.

573. Only 70 days remain in the 2025 fiscal year, and Defendants’ policies, procedures, and practices will continue suspending the adjudication of Plaintiffs’ diversity visas at least until October 1, 2025. along with the No Visa Policy which will continue to remain in effect throughout the end of the DV-2025 year.

574. In order to fully process a diversity visa application, Defendants needs several months to review the applications and supporting documents, direct the applicants to submit medical exams, police clearances and other pertinent documents, conduct the interview, and ultimately adjudicate the immigrant visa.

575. Defendants have already cost Plaintiffs nearly two months of critical time by refusing to adjudicate Plaintiffs’ diversity visa applications.

576. Absent an injunction from this Court, Defendants will undoubtedly not be able to adjudicate Plaintiffs’ Diversity Visas before the deadline of September 30, 2025

577. The Department’s policies, procedures, and practices suspending adjudications and issuance of immigrant visas for Plaintiffs is a final agency action. It is the consummation of the Department’s agency on this matter.

578. Defendants have nothing further to do to issue directions to its consular officers at US Embassies and Consulates around the world regarding withholding and delaying adjudications of immigrant visas for Plaintiffs.

579. The Department's policies, procedures, and practices suspending the adjudications for and issuance of immigrant visas for Plaintiffs have legal consequences.

580. Defendants will continue to refuse to adjudicate Plaintiffs' visa applications or issue immigrant visas for Plaintiffs through September 30, 2025, effectively extinguishing their opportunity to immigrate to the United States.

581. Defendants' policies, procedures, and practices directing consular officers at the US Embassies and Consulates around the world to refuse to adjudicate diversity visas is not authorized by any governing law, and are arbitrary, capricious, an abuse of discretion, and in violation of law.

582. Defendants administer the Department's policies, procedures, and practices suspending and withholding the adjudication of Plaintiffs' Diversity Visa applications.

583. Absent an order from this Court, Defendants will continue to delay and fail to provide final adjudications on Plaintiffs' immigrant visa applications. Due to Defendants unreasonable delay, Plaintiffs are now suffering from PP10949 and No Visa Policy.

584. Considering the irreparable harms that Plaintiffs face, which are well known to Defendants, the mandatory duty to adjudicate Plaintiffs' visa applications is unreasonable and constitutes agency action unreasonably delayed.

585. Defendants' violations of the APA cause ongoing harm to Plaintiffs. Plaintiffs have no adequate alternative to review.

586. Plaintiffs were harmed and will continue to suffer irreparable harm as long as Defendants persist in their unreasonable delay.

587. Plaintiffs were harmed and will continue to suffer irreparable harm if Defendants persist in unreasonably delaying the final adjudications of Plaintiffs' immigrant visa applications

COUNT SEVEN
Mandamus Act, 28 U.S.C. § 1361

588. Plaintiffs repeat and incorporate by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

589. Under 28 U.S.C. § 1361, “[t]he district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.”

590. A mandamus plaintiff must demonstrate that: (i) he or she has a clear right to the relief requested; (ii) the defendant has a clear duty to perform the act in question; and (iii) no other adequate remedy is available. *Liberty Fund, Inc. v. Chao*, 394 F. Supp. 2d 105, 113 (D.D.C. 2005); *see also Patel*, 134 F. 3d at 933 (duty to adjudicate an immigrant visa application).

591. The Plaintiffs clearly meet all three of these criteria. *See, e.g., Raduga USA*, 440 F. Supp. 2d at 1146 (“Plaintiffs’ claim here is clear and certain, and the consul’s nondiscretionary, ministerial duty is plainly prescribed. Furthermore, Plaintiffs have no other means to compel the United States consul to make a decision.”) *United States v. Kerry*, 168 F.Supp.3d 268, 291-92 (D.D.C. 2016)(holding the doctrine of consular non-reviewability did not apply where plaintiffs’ visa applications were not formally refused, but were held in “administrative processing”); *see also Patel v. Reno*, 134 F.3d 929, 932-33 (9th Cir. 1997)(affirming the granting of mandamus relief where plaintiff’s application had only been “provisionally refused”); *Maramjaya v. U.S. Citizenship & Immigration Servs.*, 2008 WL 9398947, at 4 (D.D.C. Mar. 26, 2008)(holding that the doctrine of consular non-reviewability did not apply when the case had not procedurally progressed to the point where consular immunity would bar judicial review”).

592. Plaintiffs have fully complied with all statutory and regulatory requirements for obtaining immigrant visas for Plaintiffs, including applying for the visa with a properly filed DS-

260, and submitting all necessary documentation, paying all required fees, and attending their consular interviews.

593. Defendants have a clear non-discretionary duty to adjudicate immigrant visa applications and issue visas to Plaintiffs who are eligible to receive the visas and not inadmissible under 8 U.S.C. § 1182(a).

594. Defendants owe Plaintiffs a duty to act upon Plaintiffs' immigrant visa applications. The INA and the relevant regulations impose on the Defendants a non-discretionary duty to timely adjudicate Plaintiffs' visa applications and to complete any background checks, interviews, or other investigations required by the Defendants to do so.

595. This duty is owed under the INA, federal regulations, and published agency guidance. *See* INA § 201(b)(2)(A)(i); INA §§ 101(a)(9), (16); 22 C.F.R. § 42.81(a); *see also, e.g., Donovan v. United States*, 580 F.2d 1203, 1208 (3d Cir. 1978) (holding that mandamus is an appropriate remedy whenever a party demonstrates a clear right to have an action performed by a government official who refuses to act).

596. Nonetheless, Defendants have willfully and unreasonably failed to adjudicate Plaintiffs' immigrant visa applications, thereby depriving Plaintiffs of their rights under 22 C.F.R. § 42.81(a), 8 U.S.C. 1184(d)(1), and the APA to have a properly filed visa application decided in a timely manner.

597. Adjudication of Plaintiffs' immigrant visa applications is a purely ministerial, non-discretionary act which the Defendants are under obligation to perform in a timely manner; the Plaintiffs have no alternative means to obtain adjudication of the visa; and their right to issuance of the writ is "clear and indisputable." *Allied Chemical Corp. v. Daiflon, Inc.*, 449 U.S. 33, 35 (1980); *see also First Federal Savings and Loan Ass'n of Durham*, 860 F.2d at 138; *Patel*, 134

F.3d at 933 (“[W]e find that the consulate had a duty to act and that to date ... the consulate has failed to act in accordance with that duty and the writ [of mandamus] should issue.”).

598. Defendants have failed to carry out the adjudicative and administrative functions delegated to them by law. *See* INA § 201(b)(2)(A)(i), INA §§ 101(a)(9), (16); 22 C.F.R. § 42.81(a) and 42.81(e). 8 U.S.C. §§ 1571, 1202(b), (d); 22 C.F.R. § 42.62(a), (b); 42.81(a); 42.81(e); see also Pub. L. 106–313, title II, §202, Oct. 17, 2000, 114 Stat. 1262.

599. Mandamus action is also appropriate because Defendants failed to act within a reasonable time. *See, e.g., Liu v. Novak*, 509 F. Supp. 2d 1, 9 (D.D.C. 2007) (holding that the APA requires the government to act within a reasonable period of time); *see also Sierra Club v. Thomas*, 828 F.2d 783, 794 (D.C. Cir. 1987) (stating that “regardless of what course it chooses, the agency is under a duty not to delay unreasonably in making that choice”).

600. Defendants have a duty to adjudicate Plaintiffs’ Diversity IV applications in a timely manner pursuant to 5 U.S.C. § 706(1) and 5 U.S.C. §§ 706(2)(A) and (D).

601. Defendants have a clear non-discretionary duty to adjudicate immigrant visa applications and issue visas to Plaintiffs who are eligible to receive them and not inadmissible under 8 U.S.C. § 1182(a), so long as visas are remain available.

602. Defendants are in breach of their duties to Plaintiffs by unlawfully withholding and unreasonably delaying the adjudication of their Diversity IV applications.

603. A writ of mandamus is necessary because Plaintiffs are entitled to final adjudication of their respective Diversity IV applications by Defendants.

604. Additionally, a writ of mandamus is necessary in order for Plaintiffs to receive their DV immigrant visa before the strict DV Program deadline of September 30, 2025, after such time their applications will become useless and moot.

605. Because the DV program restarts each fiscal year, diversity visas may not be issued after midnight on September 30th of the fiscal year of the selection. *See* 8 U.S.C. § 1153(c)(1), 1154(a)(1)(I)(ii)(II); 22 C.F.R. § 42.33(a)(1)(d); *see also* 31 U.S.C. § 1102.

606. Congress created a timetable of a calendar year to adjudicate diversity visa because Congress understood that it takes several months for individuals and the agency to work together to complete the adjudication of a diversity visa.

607. Importantly, all immigrant visas issued through the DV Program must be issued within the fiscal year in which they were selected and “under no circumstances may a consular officer issue a visa ... after the end of the fiscal year.” 22 C.F.R. § 42.33(a)(1); 8 U.S.C. § 1154(a)(1)(I)(ii)(II). *See also Mogu v. Chertoff*, 550 F.2d 107, 109 (D.D.C. 2008) (noting that “[a]t midnight on the last day of the fiscal year, any ‘lottery winner’ who is not already in possession of an immigrant visa number is no longer eligible to obtain a diversity visa based on her eligibility during the fiscal year.”)

608. Courts in this jurisdiction and others have recognized the strict timeline involved with the DV Program and have issued writs of mandamus to compel the adjudication of unreasonably delayed immigrant visa application under the DV Program before the statutory deadline. *See Yung-Kai Lu Tillerson*, 292 F.3d 276, 282-84 (D.D.C. 2018); *Mogu*, 550 F. 2d at 109-10 (D.D.C. 2008); *Emad Mohamed v. Gonzales*, 436 F.3d 79, 81 (2nd Cir. 2006); *Iddir v. INS*, 301 F.3d 492, 501 (7th Cir. 2002); *Przhebelskaya v. United States Bureau of Citizenship & Immigration Servs.*, 338 F.2d 399 (E.D.N.Y. 2004); *see also Gebre v. Rice*, 462 F.2d 186, 190 (D. Mass. 2006) (“[T]he best means for diversity visa applicants [is] to force the Government to adjudicate their application before the fiscal year is out.”)

609. This Court has the power to compel these officers to perform their expressly defined duties, and Defendants owe the performance of such duties to Plaintiffs.

610. Defendants have a clear, non-discretionary, mandatory duty to adjudicate Plaintiffs' immigrant visa applications and issue diversity immigrant visas to statutorily eligible individuals, and there is no legal bar to doing so.

611. Defendants have no legal basis for failing to proceed with the application and for their failure to timely adjudicate the application and any background checks or other investigations required.

612. Accordingly, Plaintiffs have a clear and indisputable right to have their visa applications adjudicated and Defendants have clear, nondiscretionary duty to act.

613. No alternative remedy exists to compel Defendants' action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that this Court grant them the following relief:

A. Vacate and set aside Defendants' policies, practices, procedures, or any other actions taken by Defendants to unlawfully withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs;

B. Declare that Defendants' policies, practices, procedures, or any other actions taken by Defendants to withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs void and without legal force or effect;

C. Declare that Defendants' policies, practices, procedures, or any other actions taken by Defendants to withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs are arbitrary, capricious, an abuse of discretion, otherwise not in accordance with law, and without observance of procedure required by law in violation of 5 U.S.C. §§ 702–706;

D. Declare that Defendant's delay in adjudicating in adjudicating Plaintiffs' applications for immigrant visas is unreasonable and violates the INA and applicable statutes, regulations, agency guidance, and declare that Plaintiffs are entitled to a prompt adjudication of their immigrant visa applications pursuant to the Declaratory Judgement Act 28 U.S.C. § 2201;

E. Declare that Defendants' policies, practices, procedures, or any other actions taken by Defendants to withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs are in violation of the Constitution and contrary to the laws of the United States that Defendants' policies, practices, procedures, or any other actions taken by Defendants to withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs and their derivative beneficiaries are in violation of the Constitution and contrary to the laws of the United States;

F. Preliminarily and permanently enjoin and restrain Defendants, the Department, their agents, servants, employees, attorneys, and all persons in active concert or participation with any of them, from implementing or enforcing the Departments' policies, practices, procedures, including but not limited to, the No Visa Policy, or any other actions taken by Defendants to indefinitely withhold and/or delay the adjudication and issuance of immigrant visas for Plaintiffs that is not in compliance with applicable law;

G. Enjoin Defendants and those acting under them from any further unreasonable delay in adjudication of Plaintiffs' pending immigrant visa applications;

H. Issue a writ of mandamus compelling Defendants and those acting under them to fulfill their mandatory, non-discretionary duty to complete all steps necessary to adjudicate Plaintiffs' immigrant visa applications, prior to September 30, 2025, pursuant to the Court's mandamus authority under 28 U.S.C. § 1361;

I. Issue an order compelling Defendants and those acting under them to perform their

duty to adjudicate Plaintiffs' immigrant visa applications prior to September 30, 2025, pursuant to the Administrative Procedure Act;

J. Enjoin Defendants and those acting under them from any further unreasonable delay in adjudication of Plaintiffs' pending immigrant visa applications;

K. Retain jurisdiction over this action to monitor and enforce Defendants' compliance with all orders of this Court;

L. Award Plaintiffs costs of suit and reasonable attorney fees pursuant to the Equal Access to Justice Act, 42 U.S.C. § 1988, 5 U.S.C. § 504, 28 U.S.C. § 2412 and any other applicable law; and

M. Grant any and all such further relief as this Court deems just and proper.

Dated: July 22, 2025

Respectfully submitted,

/s/ Curtis Lee Morrison
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DECLARATION OF ROBERT JACHIM

I, Robert Jachim, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am employed by the Department of State (Department) in the Bureau of Consular Affairs' Visa Services Office as the Director of the Office of Screening, Analysis and Coordination (SAC). I joined the Department in 1998 as a Foreign Service Officer, and I have served in Saudi Arabia, Honduras, Bangladesh, Iraq, Denmark, the Philippines, Pakistan, Jordan and Washington, D.C. I have been in my current position since July 2024. Previous to this position, I served as the Deputy Director in the National Vetting Center, administered by the Department of Homeland Security's Customs and Border Protection.

2. SAC is the Department's office with primary responsibility for screening noncitizens who apply for U.S. visas for potential security-related grounds of visa ineligibility. SAC coordinates with other bureaus within the Department, U.S. law enforcement and intelligence agencies, and other U.S. government partners on matters involving national security, technology transfer, counterintelligence, human rights violations, and U.S. sanctions. After coordinating with these other interested agencies, SAC analysts provide consular officers with Security Advisory Opinion (SAO) responses related to grounds of visa ineligibility and inadmissibility under section 212(a)(3) of the Immigration and Nationality Act (INA). The following declaration explains the SAO process and is based on information acquired by me in my official capacity in the performance of my official functions.

Background Interagency Vetting Processes

3. After September 11, 2001, the Department along with its federal intelligence agency and law enforcement partners engaged in a years-long effort to improve the collection, sharing, and utilization of terrorist identity and other critical national security information to inform the vetting of, inter alia, foreign nationals applying for immigrant and nonimmigrant visas to the United States. In response to numerous Executive Branch, Congressional, and Department initiatives, the Department in coordination with multiple federal partners has developed, implemented, and continuously refined a watch-listing and vetting enterprise in support of the Department's highest priority - to protect national security and the traveling public.

4. One of the lessons that the U.S. government internalized after September 11, 2001, is that it is essential to the national security of the United States that the security vetting apparatus, which supports a consular officer's decision to issue or refuse a visa, must have and review all necessary information to reach the right conclusion. Thus, the screening, analysis, and coordination, which underpins the SAO process, requires that each interested agency must have sufficient time to ensure the Department, which is the United States' first line of defense for the entry of foreign nationals who are applying for visas, has confidence in its recommendations to a consular officer regarding security-related grounds of visa ineligibility. Accordingly, the Department cannot truncate or circumvent the decision-making process.

5. The Department requires personal interviews for most applicants, employs analytic interviewing techniques, and incorporates multiple biographic and biometric checks in the visa

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EXHIBIT A, 1 of 5

process. Underpinning the process is a sophisticated global information technology network that shares data within the Department and with other federal law enforcement and intelligence agencies.

6. Every security-related visa review, from counterterrorism and counterproliferation, to espionage, requires the application of highly specialized subject matter expertise across multiple federal agencies, as well as the latest in automated review. When automated processes or the determination of a consular officer indicate a possible match between a visa application and derogatory information held in U.S. government records, an interagency process is launched to determine 1) whether the visa applicant is truly a match to the record, and 2) whether the information is both reliable and of a nature that will support a finding of ineligibility under the terrorism or other national security grounds in Section 212(a)(3) of the INA.

Consular Officer Identifies Potential Security-Based Visa Ineligibility

7. The Department views every visa decision as a national security and public safety decision. Therefore, the Department applies its security screening process to every visa applicant in all visa classifications.

8. Security screening begins when a visa applicant submits an online application form, whether a DS-160 for nonimmigrant applicants or a DS-260 for immigrant visa applicants. Consular officers, as well as our intelligence and law enforcement partners, analyze data in advance of the visa interview, including the detection of potential non-biographic links to derogatory information that is an indicia of potential visa ineligibilities.

9. When a visa applicant appears before a consular officer to make a visa application, the consular officer collects the visa applicant's fingerprints and confirms biographical data provided. Additionally, the applicant is required to answer the officer's questions related to the applicant's eligibility for a visa.

10. Before a visa may be issued, consular officers are required by statute to perform a check of automated lookout systems, which are used to help officers identify noncitizen visa applicants about whom the U.S. government may have information that indicates a possible basis of visa ineligibility.

11. All visa applicant data is screened against the Department's Consular Lookout and Support System ("CLASS"), an online database containing approximately 55.6 million records of persons, including those found ineligible for visas and persons about whom exists derogatory information, drawn from records and sources throughout the U.S. government. CLASS is populated, in part, through an export of the Terrorist Screening Data Set and the federal terrorism watchlist. CLASS employs sophisticated name-searching algorithms to identify matches between visa applicants and derogatory information contained in CLASS.

12. The Department also runs all visa applicants' biographic data against the Consular Consolidated Database ("CCD"), the Department's internal automated visa application record system, as a secondary check for derogatory information regarding visa applicants, and to flag prior visa applications, refusals, and issuances. The CCD contains more than 285 million immigrant and nonimmigrant visa records dating back to 1998. This robust searching capability, which takes into account variations in spelling and naming conventions, is central to maintaining visa security.

13. In addition, all visa applicants are subjected to an interagency counterterrorism review before their visas can be issued. The Department employs a suite of biographic and biometric reviews, which check each applicant against U.S. government counterterrorism holdings and which vet applicants against other partner data.

14. In 2013, in coordination with multiple interagency partners, the Department launched the Kingfisher Expansion counterterrorism visa vetting system ("KFE"). While the precise details of KFE vetting cannot be detailed due to classification and because disclosure would harm national security, KFE supported a sophisticated comparison of multiple fields of information drawn from visa applications against multiple intelligence community and law enforcement agency databases in order to identify terrorism concerns. If derogatory information existed about an applicant, the consular officer received a "red-light" response to one of the automated lookout systems.

15. When a consular officer encountered a "red-light," the consular officer was required to take prescribed steps necessary to assess properly whether the applicant has incurred a ground of visa ineligibility. If the ground of ineligibility implicated by information from a lookout system related to security-related grounds at INA section 212(a)(3), then the officer was required to refuse the application under INA section 221(g) and to request a SAO from SAC, which initiates an interagency security review.

16. On February 6, 2018, the President established the National Vetting Center through National Security Presidential Memorandum-9. The National Vetting Center enhances interagency collaboration to provide U.S. agencies with valuable, relevant information to help adjudicators make informed decisions critical to ensuring the safety of the American people. The National Vetting Center provides a common technology platform and process to allow for a coordinated and comprehensive review of relevant information. This process streamlines the transfer of unclassified applicant and traveler information to classified environments, where it is compared against highly restricted information held by national security partners.

17. The Department has now completed the transition of national security vetting for all visa applicants from the original KFE process to the National Vetting Center. The Department completed the transition of national security vetting of nonimmigrant visa applicants to the National Vetting Center in October 2022, and completed the transition of national security vetting for immigrant visa applicants in July 2024. Through the transition of security vetting to the National Vetting Center, the Department has realized efficiencies in the vetting process which have benefitted all visa applicants and has also enhanced border security by providing more robust screening of applicants. The "red light" process utilized under the KFE system remains in use for national security vetting through the National Vetting Center.

18. Consular officers are also required to request SAOs for reasons other than a systems lookout. During the interview, consular officers also pursue case-relevant inquiries pertaining to the applicant's identity, qualifications for the particular visa category in question, prior visa applications or travel to the United States, and any information pertaining to possible grounds of visa ineligibilities, including security-related grounds of ineligibility under INA section 212(a)(3). The Department provides guidance to officers on certain factual predicates that may require additional security review. In any case where an officer uncovers facts that would require additional security vetting, the officer is required to submit an SAO to initiate additional security vetting. Officers also have discretion to request SAOs in any case where the officer concludes additional vetting is warranted.

19. Consular officers may not issue a visa unless they are satisfied that the applicant is eligible for the visa. In any case in which a SAO is required, a consular officer must wait for a response, which will provide a recommendation on whether sufficient information exists to support a security-related ineligibility finding.

SAC Resources and Operations

20. SAO requests submitted by consular officers are handled by one of two divisions in SAC: the Counterterrorism Division or the Screening Division.

21. The Counterterrorism Division consults with multiple law enforcement and national security agencies including the Department of Homeland Security, Federal Bureau of Investigation, Central Intelligence Agency, National Security Agency, and Department of Defense and other U.S. Government agencies on SAOs regarding possible espionage, terrorism, totalitarian party membership or other national security concerns. It also works closely on SAOs with other interested U.S. agencies.

22. The Counterterrorism Division has 25 analysts, each assigned to review visa applicants from a particular country or region. Staffing this way allows the analysts to develop specialized subject matter expertise on unique security-threats relevant to the country or region covered. On the other hand, there are a limited number of analysts who specialize in each region of the world.

23. The Counterterrorism Division handles approximately 55,000 SAO requests annually, down from approximately 115,000 SAO requests annually before moving nonimmigrant screening to the National Vetting Center platform. At present, the Counterterrorism Division has about 43,000 SAO requests pending.

24. The Screening Division works with relevant Department offices and other U.S. agencies to process SAOs on security-related issues other than terrorism and communism. The Screening Division also coordinates visa screening for certain special immigrant visas and for follow-to-join refugees and asylees. The Screening Division has 15 analysts, each assigned to different areas of specialization, to include counterproliferation, illicit technology transfer, human rights violations, and U.S. sanctions.

25. The Screening Division handles approximately 77,000 SAO requests annually, which includes additional screening by partners expert in sensitive and advanced technologies. At present, the Screening Division has about 29,000 SAO requests pending.

26. When SAC receives a response from another agency indicating a security-related issue that could provide a basis for visa ineligibility, the SAC analysts must evaluate that information to determine if it rises to the level of a ground of visa ineligibility under 212(a)(3). If the analyst assesses that the derogatory information is sufficient to provide a basis for a visa ineligibility finding, the analyst will prepare a memo for Visa Office management approval, and subsequently will provide a recommendation to the consular officer who is responsible for making the final decision on visa eligibility. In cases where the Department analyst and officials at clearing partner agencies view the derogatory information differently, the matter may need to be elevated to the leadership of the respective agencies for resolution. Until the various agencies agree on the recommendation to provide the consular officer in the SAO, the consular officer cannot reopen the visa application.

27. Further, completion of SAO responses depends on the extent of review and coordination required, the amount of derogatory information, which other agencies have responsive information, the timing of when each partner agency completes its review, and a variety of other factors, such as emergent circumstances such as COVID, SAO request volume, or the need to facilitate travel in the national interest (e.g., for the U.S. government to comply with international obligations to facilitate travel to the United Nations) or to address emerging threats, and foreign policy priorities. Because of the complexity of this process, SAO requests can be neither addressed nor resolved in a first-in-first-out basis. That said, generally, security vetting is concluded in 75 percent of visa cases requiring additional security vetting in less than 60 days. Security vetting is concluded in over 90 percent of all cases requiring additional security vetting in less than 12 months.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

April 10, 2025



Robert Jachim
Director of Screening, Analysis and Coordination Bureau of
Consular Affairs, Visa Office
United States Department of State

- (1) **(U)** One copy of each document presented by the applicant; and
- (2) **(U)** Any document(s) pertaining to the applicant's ineligibility in the Category I or Category II refusal files, as applicable. (Category I includes cases under INA 212(a)(1), (2), (3), (6), and (8). Category II encompasses all other refusal categories.)

9 FAM 504.11-3(B) (U) Quasi-Refusal Cases

9 FAM 504.11-3(B)(1) (U) Informing Applicant of Apparent Ineligibility

(CT:VISA-1306; 06-24-2021)

- a. **(U) The Decision to Issue or Refuse a Visa Can Be Made Only After an Applicant has:**
 - (1) **(U)** Executed an application for a visa;
 - (2) **(U)** Presented all the documentation required by law; and
 - (3) **(U)** Paid the prescribed fee.
- b. **(U)** If an applicant who has not filed a formal application inquires about eligibility for a visa, and it appears from statements made or evidence presented that the applicant would be ineligible to receive a visa and that no exemption applies, you should point out the pertinent section of the law to the applicant. The applicant should be informed that the evidence and general circumstances described might bring the case under the cited INA provision.
- c. **(U) Entering Quasi-Refusal into CLASS:** If, after being informed of the apparent ineligibility, the applicant decides not to submit a formal application, the situation does not constitute a formal refusal and it should not be reported as such by the post. A lookout entry, however, may be appropriate. If so, the name should be entered into CLASS. (See CLASS Refusal/Lookout Codes and Historical CLASS Refusal/Lookout Codes.)
- d. **(U)** Supervisors should use the electronic review feature in the CCD to conduct Immigrant Visa adjudication reviews. Supervisors without a consular commission are not required to conduct an electronic review but should make IV adjudication standards a part of regular discussion and counseling. At posts in the Regional Consular Officer program, RCOs will provide consultation on IV adjudications as part of their visits and discuss issues with officers, but do not perform formal adjudication review.

9 FAM 504.11-3(B)(2) (U) If an Advisory Opinion (AO) is Required

(CT:VISA-1306; 06-24-2021)

- a. **(U) Procedures in cases deferred for advisory opinions or other reasons:** If, after interviewing the applicant, you decide that an advisory opinion is necessary, you must first refuse the applicant under INA 221(g). The record copy of the request for advisory opinion should be attached to the documents retained and filed in the post's A-Z file. Documents should not be returned to the applicant until final action is taken. The post must use a tickler system as a reminder to send a follow-up request for a response after a reasonable period has elapsed. If it is later determined based on the Department's advisory opinion that the applicant is ineligible under a provision of INA 212(a) or INA 212(e), the applicant should then be refused under the pertinent

section. Under no circumstances should a decision on the question of eligibility be made before the Department's advisory opinion is received. The same procedure is to be followed if the panel physician cannot make a decision under INA 212(a)(1) because x-rays, test result, etc. are still needed. This procedure is also to be followed in other situations where the applicant has formally applied, but a final determination is deferred for additional evidence, further clearance, name check, or some other similar reason.

- b. **(U) Cases Involving Classified Information Reported to Department:** See [9 FAM 701.5-2](#)(Classified) for required reports.

9 FAM 504.11-4 (U) OVERCOMING OR WAIVING A REFUSAL

9 FAM 504.11-4(A) (U) Overcoming a Refusal

(CT:VISA-1306; 06-24-2021)

- a. **(U)** You should find that an applicant has overcome an immigrant visa (IV) under INA 221(g) in two instances: when the applicant has presented additional evidence, allowing you to re-open and re-adjudicate the case, or when the case required additional administrative processing, which has been completed. An IV applicant missing a birth certificate, for instance, should be refused INA 221(g) pending that certificate (see [9 FAM 403.10-3\(A\)](#) for guidance on INA 221g refusals). When the applicant returns with the document, you should overcome the previous refusal, allowing the case to be adjudicated.
- b. **(U)** Similarly, if an applicant refused under INA 212(a)(4) then presents sufficient evidence to overcome the public charge ineligibility, you should process the case to completion. 22 CFR 42.81(e) "limits the period of review of an IV refusal to one year from the date of refusal." [9 FAM 302.8-2\(B\)\(3\)](#) provides guidance on when to use INA 221(g) and when INA 212(a)(4) would be more appropriate.
- c. **Unavailable**

9 FAM 504.11-4(B) (U) Waiving an Immigrant Visa (IV) Ineligibility

(CT:VISA-1306; 06-24-2021)

(U) There is no waiver available for refusals under INA 221(g). DHS has the authority to waive most IV ineligibilities. (See [9 FAM 305.2](#) for information about the availability of IV waivers.)

9 FAM 504.11-4(C) (U) Fees

(CT:VISA-1306; 06-24-2021)

- a. **(U) Applicant has One Year to Overcome Refusal to Avoid New Fee:** Under 22 CFR 42.81(e), a refused applicant need pay no new application fee if evidence is presented overcoming the ground of ineligibility within one year of the date of refusal.
- b. **(U) No New Fee Required in Certain Other Cases:** See [9 FAM 504.6-5\(B\)](#).

9 FAM 504.11-3(B) (U) Quasi-Refusal Cases

9 FAM 504.11-3(B)(1) (U) Informing Applicant of Apparent Ineligibility

(CT:VISA-1870; 11-28-2023)

- a. **(U) The Decision to Issue or Refuse a Visa Can Be Made Only After an Applicant has:**
 - (1) **(U)** Executed an application for a visa;
 - (2) **(U)** Presented all the documentation required by law; and
 - (3) **(U)** Paid the prescribed fee.
- b. **(U)** If an applicant who has not filed a formal application inquires about visa eligibility, and it appears from statements made or evidence presented that the applicant would be ineligible to receive a visa and that no exemption applies, you should point out the pertinent section of the law to the applicant. The applicant should be informed that the evidence and general circumstances described might bring the case under the cited INA provision.
- c. **(U) Entering Quasi-Refusal into CLASS:** If, after being informed of the apparent ineligibility, the applicant decides not to submit a formal application, the situation does not constitute a formal refusal and it should not be reported as such by you. A lookout entry, however, may be appropriate. If so, the name should be entered into CLASS. See CLASS Refusal/Lookout Codes and Historical CLASS Refusal/Lookout Codes.
- d. **(U)** Supervisors should use the electronic review feature in the CCD to conduct IV adjudication reviews. Supervisors without a consular commission are not required to conduct an electronic review but should make IV adjudication standards a part of regular discussion and counseling. At posts in the Regional Consular Officer program, RCOs will provide consultation on IV adjudications as part of their visits and discuss issues with officers, but do not perform formal adjudication review.

9 FAM 504.11-3(B)(2) (U) If an Advisory Opinion (AO) is Required

(CT:VISA-1927; 02-26-2024)

- a. **(U) Procedures in cases requiring an AO:** If, after interviewing the applicant, you decide that an AO is necessary, first refuse the applicant under INA 221(g). The record copy of the request for AO should be attached to the documents retained and filed in the consular section's A-Z file. The consular section must use a tickler system as a reminder to send a follow-up request for a response after a reasonable period has elapsed. If it is later determined based on the Department's AO that the applicant is ineligible under a provision of INA 212(a) or INA 212(e), the applicant should then be refused under the pertinent section. Under no circumstances should a decision on the question of eligibility be made before the Department's AO is received. The same procedure is to be followed if the panel physician cannot decide under INA 212(a)(1) because x-rays, test result, etc. are still needed.
- b. **(U) Cases Involving Classified Information Reported to Department:** See [9 FAM 701.5-2](#) (Classified) for required reports.

9 FAM 504.11-4 (U) OVERCOMING OR WAIVING A REFUSAL

9 FAM 504.11-4(A) (U) Overcoming a Refusal

(CT:VISA-1568; 06-24-2022)

- a. **(U)** You should find that an applicant has overcome an IV under INA 221(g) in two instances: when the applicant has presented additional evidence, allowing you to re-open and re-adjudicate the case, or when the case required additional administrative processing, which has been completed. An IV applicant missing a birth certificate, for instance, should be refused INA 221(g) pending that certificate (see [9 FAM 403.10-3\(A\)](#) for guidance on INA 221g refusals). When the applicant returns with the document, you should overcome the previous refusal, allowing the case to be adjudicated.
- b. **(U)** Similarly, if an applicant refused under INA 212(a)(4) then presents sufficient evidence to overcome the public charge ineligibility, you should process the case to completion. Applicants have one year from the date of refusal to submit "further evidence tending to overcome the ground of ineligibility on which the refusal was based" 22 CFR 42.81(e). [9 FAM 302.8-2\(B\)\(3\)](#) provides guidance on when to use INA 221(g) and when INA 212(a)(4) would be more appropriate.
- c. **Unavailable**

9 FAM 504.11-4(B) (U) Waiving an Immigrant Visa (IV) Ineligibility

(CT:VISA-1306; 06-24-2021)

(U) There is no waiver available for refusals under INA 221(g). DHS has the authority to waive most IV ineligibilities. See [9 FAM 305.2](#) for information about the availability of IV waivers.

9 FAM 504.11-4(C) (U) Fees

(CT:VISA-1870; 11-28-2023)

- a. **(U) Applicant has One Year to Overcome Refusal to Avoid New Fee:** Under 22 CFR 42.81(e), a refused applicant need pay no new application fee if evidence is presented overcoming the ground of ineligibility within one year of the date of refusal.
- b. **(U) No New Fee Required in Certain Other Cases:** See [9 FAM 504.6-5\(B\)](#).
- c. **(U) Reconsidering Refusal After One Year:** If the applicant is still entitled to visa status, the case may be reconsidered at any time. If more than one year has elapsed, however, a new application and fee must be collected before approval of the case and issuance of a visa. See 22 CFR 42.43, Suspension or Termination of Action in Petition Cases and 22 CFR 42.83, Termination of Registration.

EXHIBIT C, 1 of 6

1 I, Edward J. Ramotowski, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746::

2
3 1. I am employed by the U.S. Department of State as the Deputy Assistant Secretary for Visa
4 Services, Bureau of Consular Affairs. The Visa Office provides guidance to U.S. embassies and
5 consulates around the world on a broad range of policy and procedural issues related to the adjudication
6 of visas by consular officers overseas. I have been a member of the U.S. Foreign Service since 1986 and
7 have served in my current position since July 2012. Prior to holding this position, I was Managing
8 Director of the Visa Office from August 2009 until July 2012. Additionally, I previously served as the
9 Chief of the Consular Section at the U.S. Embassy in Nassau, Bahamas and as U.S. Consul in Warsaw,
10 Poland. In my current position I oversee the Visa Office in Washington D.C., two domestic processing
11 centers, as well as visa operations at over 200 U.S. Embassies and Consulates abroad.

12
13 2. From this experience, I have knowledge of the Department of State's implementation of entry
14 restrictions imposed by Presidential Proclamations issued pursuant to Sections 212(f) and/or 215(a) of
15 the Immigration and Nationality Act (INA). Since at least 1995, the Department of State has applied
16 Presidential Proclamations issued pursuant to these authorities as a basis for visa refusal. The
17 Department's understanding has been that the INA requires the refusal of visas where section 212(f)
18 applies and that the Department has no policy discretion to interpret section 212(f) differently.

19
20 3. The Department is aware of dozens of Presidential Proclamations issued under 212(f) that are
21 currently in effect. I have reviewed existing guidance to consular officers on the application of such
22 restrictions in the Department's Foreign Affairs Manual (FAM). Department guidance at 9 FAM 301.4-
23 1(a) provides that the basis on which applicants must be denied visas are established by law and lists
24 212(f) as such a ground of refusal. This provision also notes that the Department of State generally uses
25 the term "ineligibilities" to refer to these grounds of refusal, while the Department of Homeland Security
26 usually refers to these grounds as "inadmissabilities." In addition to listing INA 212(f) as a ground of
27 refusal generally, this section of the FAM also lists several major Presidential Proclamations imposing

1 restrictions pursuant to this authority under categories of refusals, such as refusals related to human
2 rights violations or national security grounds.

3
4 4. For example, 9 FAM 301.1-1(c)(7) lists Presidential Proclamation 8697 as an ineligibility related
5 to human rights violations, directing consular officers to additional guidance on the implementation of
6 this proclamation in 9 FAM 302.7-11. As provided in 9 FAM 302.7-11(A)(a), on August 4, 2011,
7 President Obama issued Presidential Proclamation 8697 on the Suspension of Entry as Immigrants and
8 Nonimmigrants of Persons Who Participate in Serious Human Rights and Humanitarian Law Violations
9 and Other Abuses. The FAM guidance that follows in this section provides instructions to consular
10 officers on the scope of the Proclamation's restrictions, including the definition of key terms, and
11 procedures to follow for refusing visas, if the consular officer believes an applicant is subject to these
12 restrictions.

13
14
15 5. Furthermore, 9 FAM 307.3 provides guidance on "Meeting the Visa Lookout Accountability
16 (VLA) Requirement." This requirement stems from Section 140(c) of Public Law 103-233 (Foreign
17 Relations Authorization Act, FY-94 and 95, as amended) (8 U.S.C. 1182 note), which requires that
18 "whenever a consular officer issues a visa for admission to the United States, that official shall certify
19 that a check of the automated visa lookout system, or any other system or list which maintains
20 information about the excludability of aliens under the Immigration and Nationality Act, has been made,
21 and that there is no basis under such system or list for the exclusion of such alien. If, at the time an alien
22 applies for an immigrant or nonimmigrant visa, the alien's name is included in the Department of State's
23 visa lookout system and the consular officer to whom the application is made fails to follow the
24 procedures in processing the application required by the inclusion of the alien's name in such system,
25 the consular officer's failure shall be made a matter of record and shall be considered as a serious
26 negative factor in the consular officer's annual performance evaluation."

6. A determination that an individual is subject to a presidential proclamation or executive order issued by the President pursuant to 212(f) will result in the alien's name being included in the Department's automated visa lookout system. As a result, a consular officer who issues a visa to an applicant subject to a 212(f) restriction without following the procedures set out in the FAM could be found to have violated VLA requirements and be subject to the penalty provided for in that law.

7. Other parts of the FAM also make clear restrictions imposed by Presidential Proclamations issued pursuant to Section 212(f) render persons subject to them ineligible to receive a visa. For example, 9 FAM 402.3-7(C) provides guidance to consular officers on the limited grounds of ineligibility that apply to G and A visa applicants, respectively, and notes that "If a person may be ineligible on grounds other than INA 212(a) (for example under a Presidential Proclamation)," the consular officer must request an Advisory Opinion from the Office of the Legal Adviser for Consular Affairs.

8. The FAM guidance described above reflects the Department's consistent historical understanding that the President's "suspension of entry," pursuant to the authorities in 212(f) and 215(a) of the INA, suspends the issuance of visas to applicants subject to those restrictions as well as suspending the admission of such applicants into the United States, unless the applicant is found to be eligible for an exception or is granted a waiver. In drafting implementing guidance to consular officers on the implementation of specific Presidential Proclamations, the Department does not consider whether, as a policy matter, the restrictions should be applied as a basis for visa refusal, as the Department has historically viewed visa refusal to be required by law.

9. It would be entirely inconsistent with the Department's longstanding practice for consular officers to issue visas to applicants they have determined to be ineligible for entry pursuant to restrictions imposed by the President under 8 U.S.C. 1182(f). The effective implementation of U.S. immigration law requires consistency and coordination between visa issuance decisions by consular

officers of the Department of State and admission decisions made at U.S. ports of entry by immigration officers of the Department of Homeland Security. As the Department's public-facing website makes clear, "[h]aving a U.S. visa allows you to travel to a port of entry, airport or land border crossing, and request permission of the Department of Homeland Security (DHS), Customs and Border Protection (CBP) inspector to enter the United States. While having a visa does not guarantee entry to the United States, it does indicate a consular officer at a U.S. Embassy or Consulate abroad has *determined you are eligible to seek entry for that specific purpose*" (emphasis added).

<https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/frequently-asked-questions/what-is-us-visa.html>.

10. Issuing visas to persons who are not eligible to seek entry would promote confusion in the U.S. immigration system and enhance the risks that such persons will attempt to travel to a port of entry and attempt to unlawfully enter the United States. Recognizing that a visa is a government's authorization for an alien to travel to the issuing country and apply for admission, even if a consular officer advises an applicant that the visa that is being issued is subject to an entry restriction, or annotates the visa to specify that it does not allow for travel, it would be understandable for recipients of that visa to be confused and, relying on the issuance of the visa, make travel plans, expend substantial resources, or even attempt to travel and enter the United States on that visa. It is our understanding that commercial airlines are not expected to understand or enforce immigration laws and typically screen passengers based on holding a valid travel document, including a valid U.S. visa. Once a consular officer issues a visa, it would be up to DHS/CBP to screen passengers and arriving immigrants and nonimmigrants to determine whether they are subject to an entry restriction imposed by the President pursuant to 8 U.S.C. 1182(f). Foreign governments and media organizations could also become confused about the direction and objectives of U.S. policy, if they observe the Department of State and the Department of Homeland Security taking divergent approaches to Presidential 212(f) actions.

I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.


February 8, 2020



Edward J. Ramotowski

Deputy Assistant Secretary for Visa Services, Bureau of Consular
Affairs

U.S. Department of State



U.S. Department of State
IMMIGRANT VISA APPLICATION


Refused

Immigrant Visa Case Number: 2025AS4695 01 RNG
Case Created: 13-Oct-2023
Case Last Updated: 24-Jun-2025

A U.S. consular officer has adjudicated and refused your visa application. Please follow any instructions provided by the consular officer. If you were informed by the consular officer that your case was refused for administrative processing, your case will remain refused while undergoing such processing. You will receive another adjudication once such processing is complete. Please be advised that the processing time varies and that you will be contacted if additional information is needed. For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov) or the website for the Embassy or Consulate at which you made your visa application. For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov).

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U.S. Department of State
IMMIGRANT VISA APPLICATION

Refused

Immigrant Visa Case Number: 2025AF15321 01 BMB
Case Created: 05-Nov-2023
Case Last Updated: 14-Jul-2025

A U.S. consular officer has adjudicated and refused your visa application. Please follow any instructions provided by the consular officer. If you were informed by the consular officer that your case was refused for administrative processing, your case will remain refused while undergoing such processing. You will receive another adjudication once such processing is complete. Please be advised that the processing time varies and that you will be contacted if additional information is needed. For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov) or the website for the Embassy or Consulate at which you made your visa application. For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov).

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Subject: Re: [External] Re: Office of Sen Peters -- IV/DV Case Inquiry for Mousavi -- 2025AS2001
Date: Friday, May 30, 2025 at 8:26:19 AM Eastern Daylight Time
From: [REDACTED]
To: Greenfield, Alex (Peters) <Alex_Greenfield@peters.senate.gov>
Category: IMM Casework: Reopened Case, IMM Casework: Agency Response
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, image009.png, image010.png, image011.png, image012.png, Outlook-gocmwobu.png

*Embassy of the United States of America
Ankara, Türkiye*

May 29, 2025

Dear Alex Greenfield,

Thank you for your email inquiry from May 28, 2025, on behalf of Senator Gary C. Peters' constituent, Mr. Seyed Mousavi, regarding the Diversity Visa application for him.

Unfortunately, we do not have any updates regarding the beneficiary's case since our last correspondence in February; this case is still pending necessary administrative processing. This case will remain in "refused" status until administrative processing concludes and a decision is made regarding the beneficiary's eligibility for a visa. We have noted your office's interest and the period of time this case has been pending.

Unfortunately, we are unable to predict how long administrative processing will take for a given case. I am aware that this longer-than-anticipated processing time can cause frustration and hardship, but we must follow federal visa and security regulations. As soon as this process is complete, we will notify the beneficiary of the decision.

Should the beneficiary have further questions or concerns, please have them contact our team through the [Visa Navigator - U.S. Embassy & Consulates in Türkiye](#) for assistance.

Please note that the information regarding this visa case is protected from disclosure under section 222(f) of the INA, 8 U.S.C. 1202(f), and in accordance with that law, may only be used for the "formulation, amendment, administration, or enforcement of the immigration, nationality, or other laws of the United States." Since you have inquired on behalf of the applicant, our disclosure to you of the above information from the visa record, which information could be

made available to the visa applicant, is consistent with INA section 222(f), 8 U.S.C. 1202(f), and you may share this information with your constituent.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

U.S. Embassy Ankara

SENSITIVE BUT UNCLASSIFIED



Outlook

Fwd: [External] V33 - ERROR ON VISA - Fereshteh FarzadFar

From FERESHTEH FARZADFAR <[REDACTED]>
Date Fri 7/18/2025 5:30 PM
To Evidence Collection Red Eagle Law <evidence@redeaglelaw.com>

----- Forwarded message -----

From: Yerevan, Visas <YerevanVisas@state.gov>
Date: Fri, Jul 11, 2025 at 1:46 PM
Subject: Re: [External] V33 - ERROR ON VISA - Fereshteh FarzadFar
To: FERESHTEH FARZADFAR <farzadfarfereshteh@gmail.com>

Dear Milad Faizi,

This is to inform you that a consular officer found you ineligible for an immigrant visa under Section 212(f) of the Immigration and Nationality Act, pursuant to Presidential Proclamation "Restricting the Entry of foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats". Today's decision cannot be appealed.

Taking into account the provisions of the Proclamation, a National Interest Exception (NIE) will not be granted in your case. For additional information on the proclamation, please visit whitehouse.gov or travel.state.gov.

Sincerely,
Consular Section
U.S. Embassy Yerevan | 1 American Ave, Yerevan 0082, Armenia

[Appointment, MRV Fee, & Application Inquiries](#)
[Visa Related Inquiries Navigator](#)
[U.S. Embassy Yerevan, Armenia - Visas Page](#)

SENSITIVE BUT UNCLASSIFIED

From: FERESHTEH FARZADFAR <farzadfarfereshteh@gmail.com>
Sent: Thursday, July 10, 2025 10:58 AM
To: Yerevan, Visas <YerevanVisas@state.gov>
Subject: [External] V33 - ERROR ON VISA - Fereshteh FarzadFar

Full Name: Fereshteh FarzadFar
Date of Birth: 01.02.2002
Passport Number: H58864104
Country of Nationality: Iran

Immigrant Visa Case Number: 2025AS3056

Husband's Name: Milad Faizi
Husband's Date of Birth: 31.10.1999
Husband's Passport Number: P00343725
Husband's Country of Nationality: Afghanistan

Dear Consular Section,

I hope this message finds you well.

My name is Fereshteh Farzad Far, and I am writing to respectfully follow up regarding my husband's Diversity Visa case (Milad Faizi, Case Number: 2025AS3056). We both attended our immigrant visa interview at the U.S. Embassy in Yerevan on January 16, 2025.

At the end of the interview, the consular officer informed us that once the required documents were submitted, the review process would typically take about one week. Accordingly, my husband submitted the requested documents on July 2, 2025.

I would be sincerely grateful if you could kindly confirm whether the documents have been received and whether the case is currently under review.

I fully understand how busy your office is, and I truly appreciate your time and efforts. I am currently residing in the United States and working as a preschool teacher. While I am doing my best to adapt, being apart from my husband has been emotionally and practically challenging. I sincerely hope we can be reunited soon.

Thank you very much for your attention, support, and the important work you do.

Sincerely,

Fereshteh Farzad Far

Date of Birth: [REDACTED]

Email: farzadfarfereshteh@gmail.com



Outlook

Fwd: [External] M11 - Inquiry Regarding Case update

From Abdikariim Osman [REDACTED] >
Date Fri 7/11/2025 7:03 PM
To Evidence Collection Red Eagle Law <evidence@redeaglelaw.com>

Dear Red Eagle Law Team,

Please find below the forwarded email from the U.S. Embassy notifying me that my Diversity Visa was refused under INA 212(f). I am submitting this as requested evidence for the DV2025 Travel Ban Group Lawsuit.

Thank you for your advocacy and support.

Sincerely,
Abdikariim Osman Abdilahi
DV2025 Selectee

----- Forwarded message -----

From: **Consular Djibouti Mailbox** <ConsularDjibouti@state.gov>
Date: Wed, 18 Jun 2025, 09:24
Subject: Re: [External] M11 - Inquiry Regarding Case update
To: Abdikariim Osman <abdikariimosman086@gmail.com>

Dear Applicant,

Thank you for contacting the U.S Embassy in Djibouti.

However, we are writing to inform you that a consular officer found you ineligible for an immigrant visa under Section 212(f) of the Immigration and Nationality Act, pursuant to Presidential Proclamation "Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats". This decision cannot be appealed. Taking into account the provisions of the Proclamation, a National Interest Exception (NIE) will not be granted in your case.

Kind Regards
Consular Section
U.S. Embassy Djibouti

SENSITIVE BUT UNCLASSIFIED

From: Abdikariim Osman <[REDACTED]>
Sent: Saturday, May 24, 2025 8:50 PM
To: Consular Djibouti Mailbox <ConsularDjibouti@state.gov>
Subject: [External] M11 - Inquiry Regarding Case update

Full Name: ABDILAH I ABDIKARIIM OSMAN

Case Number: 2025AF25764

Date of Birth: [REDACTED]

Date of Interview: April 10, 2025

Dear Sir/Madam,

I hope this message finds you well.

I am writing to kindly request an update regarding the status of my case. I have submitted the necessary documents, and the deadline has since passed. I would greatly appreciate any information or updates you can provide at this time.

Thank you for your time and attention.

Best regards,



Outlook

Fwd: Immigrant Visa – Ineligible under 212(f) - Appointment Information (2025AS7445)

From Alireza Ataei [REDACTED]
Date Fri 7/11/2025 7:18 PM
To Evidence Collection Red Eagle Law <evidence@redeaglelaw.com>

----- Forwarded message -----

From: Kuwait, IV <KuwaitIV@state.gov>
Date: Sun, 6 Jul 2025 at 12:39 PM
Subject: Immigrant Visa – Ineligible under 212(f) - Appointment Information (2025AS7445)
To: Alireza Ataei <[REDACTED]>, Kuwait, IV <KuwaitIV@state.gov>

Mr. Alireza Ataei,

Thank you for your email.

This is to inform you that a consular officer found you ineligible for an immigrant visa under Section 212(f) of the Immigration and Nationality Act, pursuant to Presidential Proclamation “Restricting the Entry of foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats”. The decision made on your interview date at the embassy cannot be appealed. Taking into account the provisions of the Proclamation, a National Interest Exception (NIE) will not be granted in your case.

Best Regards,

Immigrant Visa Unit

U.S. Embassy Kuwait

SENSITIVE BUT UNCLASSIFIED

From: Alireza Ataei [REDACTED]
Sent: Thursday, July 11, 2025 10:48 AM

To: Kuwait, IV <KuwaitIV@state.gov>

Subject: Re: [External] Re: Your Immigrant Visa Interview - Appointment Information (2025AS7445)

Dear Immigrant Visa Unit, U.S Embassy Kuwait ,

I hope this email finds you well.

I'm kindly following up on my previous email regarding the status of my DV Lottery immigrant visa application. I was interviewed on June 17, and at the end of the interview, I was verbally informed that my case was temporarily refused for administrative processing and review. However, I did not receive any letter at that time. I was also advised that I would be contacted via email if any additional documents or my passport were needed.

Since then, my CEAC status initially showed as "Refused" under administrative processing. On June 25, it changed again to "Refused" with a note advising me to refer to a letter provided at the interview , though no letter was given.

I would sincerely appreciate it if you could kindly confirm whether the online CEAC status is accurate and clarify the reason for the refusal, and advise if any further documents or steps are required from my side.

Wishing you a pleasant 4th of July holiday, and thank you very much for your time and assistance.

Kind Regards,

Alireza Ataei

Case# 2025AS7445

DOB: [REDACTED]

DV Chargeability: Kuwait

On Thu, 26 Jun 2025 at 9:16 AM Alireza Ataei <[REDACTED]> wrote:

Dear Immigrant Visa Unit , U.S Embassy Kuwait,

I hope this Email finds you well.

I am writing to respectfully request clarification regarding the status of my DV Lottery immigrant visa application. I was interviewed on Tuesday, June 17(2nd appointment) , and at the end of the interview, the consular officer informed me that my case was temporarily refused for further review and processing. I was advised that I would be contacted via email if any additional documents or my passport were needed.

Since then, I have been checking the status of my case on the CEAC online status website(ceac.state.gov). Initially, the status showed as "Refused" under administrative processing. However, it has just updated yesterday to reflect a refusal, with a note stating that my application has been adjudicated and refused, and to refer to the letter provided at the interview.

I kindly request an update on the current status of my application and clarification regarding the reason for the refusal since I was not given any letter at the end of interview . I would be very grateful to provide if any additional documents required such I-134 sponsorship, a job offer, or any other supporting materials.

Thank you very much for your time and assistance. I look forward to your response.

Kind Regards,

Alireza Ataei

Case# 2025AS7445

DOB: [REDACTED]

DV Chargeability: Kuwait

On Wed, 21 May 2025 at 3:30 PM Kuwait, IV <[REDACTED]> wrote:

Thank you for your email.

This is to confirm that your Document review appointment is scheduled for Tuesday, Jun 3, 2025, at 9.30 am. While your name will be on the list for that day, you may as well, print copy of this email and bring it with you to facilitate your entry into the embassy compound.

Regards,

IV Unit

U.S. Embassy Kuwait

SENSITIVE BUT UNCLASSIFIED

From: Alireza Ataei <[REDACTED]>
Sent: Tuesday, May 20, 2025 12:04 PM
To: Kuwait, IV <KuwaitIV@state.gov>
Subject: [External] Re: Your Immigrant Visa Interview - Appointment Information (2025AS7445)

Dear Immigrant Visa Unit - U.S Embassy Kuwait Thank you very much for your detailed email and for providing clear guidance on the required steps and documentation. I will ensure all listed documents are prepared for my appointment on Tuesday, June 3. I would also like to kindly confirm whether I should print and bring this email with me ? The 2nd notification letter from KCC indicates June 4 as the interview date, so I want to ensure I am following the correct procedure. Is presenting this email at the embassy entrance sufficient or is any additional online registration required? Thank you for the opportunity . I look forward to attending my interview and meeting with your team. Kind regards, Alireza Ataei

On Mon, 12 May 2025 at 10:40 AM Kuwait, IV <KuwaitIV@state.gov> wrote:

Dear Mr./Ms. ATAEL ALIREZA,: (2025AS7445)

This is the Immigrant Visa Unit at the U.S. Embassy in Kuwait. Your appointment is scheduled on **Tuesday, June 03, 2025, at 09:30.**

In order to avoid delays in processing your case, we kindly request you to bring the following documents on the day of your interview (Originals or Certified Copies):

MISSING: Photo

MISSING: Passport

MISSING: Birth Certificate

MISSING: Marriage/Divorce- Beneficiary (If applicable)

MISSING: Military Records

MISSING: Medical Exam

MISSING: Financial Proof/OWN ASSETS

MISSING: Education Certificates, CV

MISSING: Fees

MISSING: Police Clearance - Kuwait

IMPORTANT NOTICE:

There will be at least two appointments to continue with processing your Immigrant Visa application:

- **Appointment (1): Documents Review**
- **Appointment (2): Interview**

On your **Appointment (1): Document Review** above, only the main applicant needs to appear at this appointment. The appointment will be for the Embassy to review the documents submitted in support of your immigrant visa application. If the case is documentarily complete, it may immediately move to the next step: scheduling your immigrant visa Interview appointment.

At your **Appointment (2): Interview**, the main applicant and all other applying derivative family members will need to appear in person. A Consular Officer will take ink-free, digital fingerprint scans, and interview all applicants in the case to make a determination on eligibility for the immigrant visa(s). Applicants should not make travel plans to enter the United States until the approval process has been completed.

تنويه

يرجي العلم بأنه سيكون هناك موعدان حضور للسفارة على الأقل لإنهاء إجراءات طلب تأشيرة الهجرة الخاص بك:

موعد (1): مراجعة المستندات.

موعد (2): المقابلة الشخصية.

تم تحديد **موعد (1): مراجعة المستندات** الخاصة بك في الموعد المذكور أعلاه. يجب فقط على المتقدم الرئيسي الحضور بمفرده لهذا الموعد، حيث سيتم مراجعة المستندات الأصلية المقدمة لاستكمال طلب تأشيرة الهجرة الخاص بك. في حال توفر كافة المستندات المطلوبة في موعدك الأول لدى السفارة، سيتم الانتقال مباشرة إلى الخطوة التالية وهي تحديد موعد مقابلة تأشيرة الهجرة.

في **موعد (2): المقابلة الشخصية** المحدد لاحقاً، سيتوجب على المتقدم الرئيسي وجميع أفراد الأسرة المتقدمين الآخرين الحضور شخصياً. سيقوم المسؤول القنصلي بأخذ بصمات الأصابع الرقمية (بدون حبر)، وإجراء مقابلات مع جميع المتقدمين في الطلب لاتخاذ قرار بشأن منح تأشيرة (تأشيرات) الهجرة. يجب على المتقدمين عدم القيام بأي ترتيبات سفر إلى الولايات المتحدة حتى يتم الانتهاء من عملية الموافقة وإصدار التأشيرة.

Please visit the following link for further information on the process at:

<https://travel.state.gov/content/travel/en/us-visas/immigrate.html>. Please note that If any of the documents above are in a language other than English, please translate them into English.

The Consular Section is located in the U.S. Embassy in Bayan area, Block 13- Al Masjed Alaqsa Street. If you have any other questions or concerns, please feel free to contact us through e-mail. Please note that we are closed on American and local holidays; these dates can be checked on our website at: <https://kw.usembassy.gov/holiday-calendar/>

Sincerely,

Immigrant Visa Unit
U.S. Embassy Kuwait

See Additional Important Information Below:

SUBMIT VISA APPLICATION FORM DS-160 (K VISAS) OR DS-260 (ALL OTHER VISA TYPES): You and each qualified family member immigrating with you must complete the Application for Immigrant Visa and Alien Registration (Form DS-160 or DS-260) in the Consular Electronic Application Center (CEAC): <https://ceac.state.gov/IV/Login.aspx> You may wish to preview a sample DS-260 (PDF - 6.4MB) before beginning.

<http://travel.state.gov/content/dam/visas/DS-260%20Exemplar.pdf> Submitting the visa application does not formally execute a visa application. The visa application is not formally made until the visa applicant(s) is interviewed by a U.S. consular officer. Note: You will need your NVC Case Number, Beneficiary ID Number, and Invoice ID Number from your NVC Welcome Letter, to access CEAC. After submitting Form DS-260 online, you must print the confirmation page and bring it to your interview. You can print this from CEAC any time after you complete your DS-260 application. DS-160(for K1 Fiancé Visa applicants): Submit your DS-160 application by visiting: <https://ceac.state.gov/genniv/>

PHOTO REQUIREMENTS:

Your photo is a vital part of your visa application. To learn more, review the information in the link below on how to provide a suitable photo:

<http://travel.state.gov/content/visas/english/general/photos.html>

MEDICAL EXAMINATION:

All immigrant visa applicants, regardless of age, require a medical examination prior to the issuance of a visa. Only a physician accredited by the U.S. Embassy can perform this exam. It is your responsibility to schedule a medical exam with below approved panel physician at least 10 days before your visa interview at the U.S. Embassy. Medical examination results from other physicians will not be accepted. Approved physician: New Mowasat Hospital Yousef Bin Homoud St., Block 2 Salmiya, Kuwait. Contact person for appointment or inquiries: Immigration Reception: 1826666 ext. 2349, medical@newmowasat.com Mr. Said Hussini: 97261773, shussini@newmowasat.com Clinic Working Hours: 1200h – 1500h, Saturday to Thursday Items to bring to your medical examination: • Your visa interview letter, • Your passport, • Four (4) recently taken passport-sized color photographs, • A copy of your immunization records, and • Medical records, including prescription information, for any medical conditions you currently have. • DS-260 confirmation page • You must pay all medical examination fees, including x-ray and blood test fees, directly to the examining

physician. Processing your medical examination report will take at least two (2) weeks after your examination. Your immigrant visa interview will be conducted even if your medical examination report is not ready yet. However, we cannot issue a visa without a satisfactory medical report. Please note that your medical report must be less than six (6) months old when you enter the United States as an immigrant. The validity of your issued immigrant visa will be based on the expiration date of your medical exam, generally six (6) months, but sometimes only three (3) months. We strongly recommend scheduling your medical exam no earlier than two (2) weeks before your immigrant visa interview. During the medical exam. The medical examination will include a medical history review, physical examination, and chest X-ray and blood tests (for applicants 15 years of age or older). Tuberculosis (TB) testing is required for all applicants two years of age and older. Please be prepared to discuss your medical history, medications you are taking, and current treatments you are undergoing. More information on general medical requirements for U.S. immigrants is available on the Centers for Disease Control and Prevention Website. U.S. immigration law requires immigrant visa applicants to obtain certain vaccinations prior to the issuance of a visa. Current immigrant vaccination requirements are available on CDC's website. You can also read Frequently Asked Questions about our medical examination requirements online. After the medical exam When your examination is completed, if your case was designated as paperless and processed electronically, then the doctor will send the exam results electronically to the embassy. If your case was not electronic, then the doctor will provide you with exam results in a sealed envelope or deliver them directly to the U.S. Embassy. IF YOU ARE GIVEN AN ENVELOPE TO CARRY TO YOUR INTERVIEW, DO NOT OPEN THIS ENVELOPE. Instead, bring it to your visa interview. Any x-rays taken will be given to you. You DO NOT need to bring the x-rays to your visa interview unless you suffer from tuberculosis (TB). However, you must carry the x-rays with you when you travel to the United States for the first time. The medical report must be less than six (6) months old when you enter the United States as an immigrant. ***DO NOT do medical examination before your immigrant visa interview at the embassy if you are applying for a Refugee or Asylee immigrant visa.

KUWAIT POLICE CERTIFICATE:

KUWAIT POLICE CLEARANCE: All immigrant visa applicants age 18 and over are required to present a police clearance certificate (original & photocopy) from the country of their current residence (Kuwait), if residence in this country exceeds six months. A police certificate, or "Criminal Status Certificate- شهادة الحالة الجنائية," can be obtained from the "Sahel -Mobile Application (تطبيق سهل), which is available on both the App Store and Google Play. The electronic certificate will have a QR code for verification purposes.

OTHER POLICE CERTIFICATES:

All immigrant visa applicants age 16 and over are also required to present police clearance certificates from countries of their previous residence, if residence there exceeded one year. For country-specific guidelines on how to obtain a police certificate from a country other than Kuwait, please review the Country Documents section in the following link:

<http://travel.state.gov/content/visas/english/fees/reciprocity-by-country.html>

MARRIAGE DOCUMENTATION & MARRIAGE TERMINATION DOCUMENTATION:

If you are married, you must obtain an original (or certified copy) of your marriage certificate. You must submit an original (or certified copy) and a photocopy of your marriage certificate to the U.S. Embassy at the time of your interview. (Exception: If you are the Petitioner for your parent (IR-5, Parent of a U.S. Citizen), you do not have to submit your marriage certificate.) If you were previously married, you must obtain evidence of the termination of EACH prior marriage. Your evidence must be an original or certified copy of one of the following documents: FINAL divorce decree, Death certificate, or Annulment papers. You must submit the original (or certified copy) and a photocopy of your marriage termination documentation to the U.S. Embassy at the time of your interview.

MILITARY RECORDS:

If you served in the military of any country, you must obtain a photocopy of your military record. You must submit a photocopy of your military record(s) to the U.S. Embassy or Consulate at the time of your interview. For country-specific guidelines on how to obtain your military records, review the Country Documents section in the following link:

<http://travel.state.gov/content/visas/english/fees/reciprocity-by-country.html>

ADDITIONAL DIVERSITY VISA REQUIREMENTS:

The principal diversity visa applicant must have at least a high school education or its equivalent, OR two years of qualifying work experience in the last five years. Education: Submit to the U.S. Embassy at your interview, a certificate of completion equivalent to a U.S. diploma, school transcripts, or other evidence issued by the person or organization responsible for maintaining records, which specifies the completed course of study. The diversity visa selectee must have completed a 12-year course of elementary and secondary education in the U.S. or a comparable course of study in another country, sufficient in itself to qualify a student to apply for college admission. The following are not acceptable: - Equivalency certificates (such as the G.E.D.) are not acceptable. - Vocational degrees that are not considered a basis for further academic study will not be considered equivalent to U.S. high school education. Work Experience: Submit documentation to the U.S. Embassy or Consulate at your interview demonstrating that you have two years of qualifying work experience in the last five years immediately prior to application. Qualifying work experience must be in an occupation that, by U.S. Department of Labor O*Net Online Database definitions, requires at least two years of training or experience that is designated as Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) rating of 7.0 or higher. (See the section on Confirm Your Qualifications for information about using O*Net Online.)

<http://online.onetcenter.org/> <http://travel.state.gov/content/visas/english/immigrate/diversity-visa/if-you-are-selected/confirm-your-qualifications.html> - Own assets such as bank statements, investments, and/or real-estate holdings (If not available, please provide: -A

joint sponsor can be American or an LPR living in U.S., -The joint sponsor must fill out and submit originally signed (Form I-134) affidavit of support <http://www.uscis.gov/files/form/i-134.pdf>, and Most Recent Income Tax Returns. GENERAL INFORMATION ON DIVERSITY VISA PROGRAM We are thrilled to see the level of interest in the Diversity Visa Program, or random selection of possible green card candidates, across the world. We believe that our diversity is our strength and are proud to welcome new immigrants to the United States. • For those who don't know, each year, from all registered entries, the Department of State conducts a random selection of Diversity Visa candidates or "selectees." Selection does not guarantee that a person will receive a visa or a visa interview, but it is an important first step. Being selected means that the person is eligible to participate in the DV program. • The Department of State's policy is to use as many as possible of the 55,000 diversity visas available each year, which must be issued by the fiscal deadline of September 30. In order to issue as close to 55,000 visas as we can, the Department of State has to select more diversity visa entries than there are visas available. This means that many selectees may not be able to obtain an interview appointment. • Those who receive a Diversity Visa interview must come prepared. Individuals who miss or reschedule their visa application appointments, or who attend their appointment without all required documents, increase the risk that a visa may not be available or issued. Such actions also result in the use of an appointment that might have otherwise benefited a qualified selectee. • We deeply understand the impact of our work on individuals and families involved in the Diversity Visa Program. Consular teams around the world are scheduling as many Diversity Visa appointments as possible and processing cases as quickly as possible in accordance with their capacity and alongside other consular services.

TRANSLATION REQUIREMENT:**EXHIBIT E, 14 of 18**

You should provide a certified English translation of all documents that are not in English.

REQUIRED IMMIGRANT VISA FEES:

Your case requires that you pay the immigrant visa fee on the day of your interview at the U.S. Embassy. Please note that the Embassy only accepts cash (exact change) or credit cards (Visa, Mastercard, AMEX). We do not accept KNET. The fees are as follows: - Family Preference (KD 104.0, \$325.00) - Employment Preference (KD 110.4, \$345.00) - Diversity Visa (KD 105.6, \$330.00) - Returning Resident (KD 57.6, \$180.00) - K Visa Categories (KD 84.8, \$265.00) - Other IVs: SIV, I-360 ETC (KD 65.6, \$205.00) - Photo Copies: Please note you must provide photocopies of all original documents, if you fail to do so, you will be charged \$1.00 or KD 0.300 cash per photo copy. Do not make copies of the forms provided to you by the Immigrant Visa Unit.

GUIDE TO NEW IMMIGRANTS - NEWCOMER RESOURCES:

Welcome to the United States - A Guide for New Immigrants

<https://www.uscis.gov/tools/green-card-resources/welcome-united-states>

SUBMIT VISA APPLICATION FORM DS-160 (K VISAS) OR DS-260 (ALL OTHER VISA TYPES):

You and each qualified family member immigrating with you must complete the Application for Immigrant Visa and Alien Registration (Form DS-160 or DS-260) in the Consular Electronic Application Center (CEAC): <https://ceac.state.gov/IV/Login.aspx> You may wish to preview a sample DS-260 (PDF - 6.4MB) before beginning.

<http://travel.state.gov/content/dam/visas/DS-260%20Exemplar.pdf> Submitting the visa application does not formally execute a visa application. The visa application is not formally made until the visa applicant(s) is interviewed by a U.S. consular officer. Note: You will need your NVC Case Number, Beneficiary ID Number, and Invoice ID Number from your NVC Welcome Letter, to access CEAC. After submitting Form DS-260 online, you must print the confirmation page and bring it to your interview. You can print this from CEAC any time after you complete your DS-260 application. DS-160(for K1 Fiancé Visa applicants): Submit your DS-160 application by visiting: <https://ceac.state.gov/genniv/> PHOTO REQUIREMENTS: Your photo is a vital part of your visa application. To learn more, review the information in the link below on how to provide a suitable photo:

<http://travel.state.gov/content/visas/english/general/photos.html> MEDICAL EXAMINATION:

All immigrant visa applicants, regardless of age, require a medical examination prior to the issuance of a visa. Only a physician accredited by the U.S. Embassy can perform this exam. It is your responsibility to schedule a medical exam with below approved panel physician at least 10 days before your visa interview at the U.S. Embassy. Medical examination results from other physicians will not be accepted. Approved physician: New Mowasat Hospital Yousef Bin Homoud St., Block 2 Salmiya, Kuwait. Contact person for appointment or inquiries: Immigration Reception: 1826666 ext. 2349, medical@newmowasat.com Mr. Said Hussini: 97261773, shussini@newmowasat.com Clinic Working Hours: 1200h – 1500h, Saturday to Thursday Items to bring to your medical examination: • Your visa interview letter, • Your passport, • Four (4) recently taken passport-sized color photographs, • A copy of your immunization records, and • Medical records, including prescription information, for any medical conditions you currently have. • DS-260 confirmation page • You must pay all medical examination fees, including x-ray and blood test fees, directly to the examining physician. Processing your medical examination report will take at least two (2) weeks after your examination. Your immigrant visa interview will be conducted even if your medical examination report is not ready yet. However, we cannot issue a visa without a satisfactory medical report. Please note that your medical report must be less than six (6) months old when you enter the United States as an immigrant. The validity of your issued immigrant visa will be based on the expiration date of your medical exam, generally six (6) months, but

sometimes only three (3) months. We strongly recommend scheduling your medical exam no earlier than two (2) weeks before your immigrant visa interview. During the medical exam. The medical examination will include a medical history review, physical examination, and chest X-ray and blood tests (for applicants 15 years of age or older). Tuberculosis (TB) testing is required for all applicants two years of age and older. Please be prepared to discuss your medical history, medications you are taking, and current treatments you are undergoing. More information on general medical requirements for U.S. immigrants is available on the Centers for Disease Control and Prevention Website. U.S. immigration law requires immigrant visa applicants to obtain certain vaccinations prior to the issuance of a visa. Current immigrant vaccination requirements are available on CDC's website. You can also read Frequently Asked Questions about our medical examination requirements online. After the medical exam When your examination is completed, if your case was designated as paperless and processed electronically, then the doctor will send the exam results electronically to the embassy. If your case was not electronic, then the doctor will provide you with exam results in a sealed envelope or deliver them directly to the U.S. Embassy. IF YOU ARE GIVEN AN ENVELOPE TO CARRY TO YOUR INTERVIEW, DO NOT OPEN THIS ENVELOPE. Instead, bring it to your visa interview. Any x-rays taken will be given to you. You DO NOT need to bring the x-rays to your visa interview unless you suffer from tuberculosis (TB). However, you must carry the x-rays with you when you travel to the United States for the first time. The medical report must be less than six (6) months old when you enter the United States as an immigrant. ***DO NOT do medical examination before your immigrant visa interview at the embassy if you are applying for a Refugee or Asylee immigrant visa.

KUWAIT POLICE CERTIFICATE: KUWAIT POLICE CLEARANCE: All immigrant visa applicants age 18 and over are required to present a police clearance certificate (original & photocopy) from the country of their current residence (Kuwait), if residence in this country exceeds six months. A police certificate, or "Criminal Status Certificate- شهادة الحالة الجنائية," can be obtained from the "Sahel -Mobile Application (تطبيق سهل), which is available on both the App Store and Google Play. The electronic certificate will have a QR code for verification purposes. **OTHER POLICE CERTIFICATES:** All immigrant visa applicants age 16 and over are also required to present police clearance certificates from countries of their previous residence, if residence there exceeded one year. For country-specific guidelines on how to obtain a police certificate from a country other than Kuwait, please review the Country Documents section in the following link: <http://travel.state.gov/content/visas/english/fees/reciprocity-by-country.html>

MARRIAGE DOCUMENTATION & MARRIAGE TERMINATION DOCUMENTATION: If you are married, you must obtain an original (or certified copy) of your marriage certificate. You must submit an original (or certified copy) and a photocopy of your marriage certificate to the U.S. Embassy at the time of your interview. (Exception: If you are the Petitioner for your parent (IR-5, Parent of a U.S. Citizen), you do not have to submit your marriage certificate.) If you were previously married, you must obtain evidence of the termination of EACH prior marriage. Your evidence must be an original or certified copy of one of the following documents: FINAL divorce decree, Death certificate, or Annulment papers. You must submit the original (or certified copy) and a photocopy of your marriage termination documentation to the U.S. Embassy at the time of your interview. **MILITARY RECORDS:** If you served in the military of any country, you must obtain a photocopy of your military record. You must submit a photocopy of your military record(s) to the U.S. Embassy or Consulate at the time of your interview. For country-specific guidelines on how to obtain your military records, review the Country Documents section in the following link: <http://travel.state.gov/content/visas/english/fees/reciprocity-by-country.html>

ADDITIONAL DIVERSITY VISA REQUIREMENTS: The principal diversity visa applicant must have at least a high school education or its equivalent, OR two years of qualifying work experience in the last five years. Education: Submit to the U.S. Embassy at your interview, a certificate of completion equivalent to a U.S. diploma, school transcripts, or other evidence issued by the person or organization responsible for maintaining records, which specifies the completed

course of study. The diversity visa selectee must have completed a 12-year course of elementary and secondary education in the U.S. or a comparable course of study in another country, sufficient in itself to qualify a student to apply for college admission. The following are not acceptable: - Equivalency certificates (such as the G.E.D.) are not acceptable. - Vocational degrees that are not considered a basis for further academic study will not be considered equivalent to U.S. high school education. Work Experience: Submit documentation to the U.S. Embassy or Consulate at your interview demonstrating that you have two years of qualifying work experience in the last five years immediately prior to application. Qualifying work experience must be in an occupation that, by U.S. Department of Labor O*Net Online Database definitions, requires at least two years of training or experience that is designated as Job Zone 4 or 5, classified in a Specific Vocational Preparation (SVP) rating of 7.0 or higher. (See the section on Confirm Your Qualifications for information about using O*Net Online.) <http://online.onetcenter.org/> <http://travel.state.gov/content/visas/english/immigrate/diversity-visa/if-you-are-selected/confirm-your-qualifications.html> - Own assets such as bank statements, investments, and/or real-estate holdings (If not available, please provide: -A joint sponsor can be American or an LPR living in U.S., -The joint sponsor must fill out and submit originally signed (Form I-134) affidavit of support <http://www.uscis.gov/files/form/i-134.pdf>, and Most Recent Income Tax Returns. GENERAL INFORMATION ON DIVERSITY VISA PROGRAM We are thrilled to see the level of interest in the Diversity Visa Program, or random selection of possible green card candidates, across the world. We believe that our diversity is our strength and are proud to welcome new immigrants to the United States. • For those who don't know, each year, from all registered entries, the Department of State conducts a random selection of Diversity Visa candidates or "selectees." Selection does not guarantee that a person will receive a visa or a visa interview, but it is an important first step. Being selected means that the person is eligible to participate in the DV program. • The Department of State's policy is to use as many as possible of the 55,000 diversity visas available each year, which must be issued by the fiscal deadline of September 30. In order to issue as close to 55,000 visas as we can, the Department of State has to select more diversity visa entries than there are visas available. This means that many selectees may not be able to obtain an interview appointment. • Those who receive a Diversity Visa interview must come prepared. Individuals who miss or reschedule their visa application appointments, or who attend their appointment without all required documents, increase the risk that a visa may not be available or issued. Such actions also result in the use of an appointment that might have otherwise benefited a qualified selectee. • We deeply understand the impact of our work on individuals and families involved in the Diversity Visa Program. Consular teams around the world are scheduling as many Diversity Visa appointments as possible and processing cases as quickly as possible in accordance with their capacity and alongside other consular services. TRANSLATION REQUIREMENT: You should provide a certified English translation of all documents that are not in English. REQUIRED IMMIGRANT VISA FEES: Your case requires that you pay the immigrant visa fee on the day of your interview at the U.S. Embassy. Please note that the Embassy only accepts cash (exact change) or credit cards (Visa, Mastercard, AMEX). We do not accept KNET. The fees are as follows: - Family Preference (KD 104.0, \$325.00) - Employment Preference (KD 110.4, \$345.00) - Diversity Visa (KD 105.6, \$330.00) - Returning Resident (KD 57.6, \$180.00) - K Visa Categories (KD 84.8, \$265.00) - Other IVs: SIV, I-360 ETC (KD 65.6, \$205.00) - Photo Copies: Please note you must provide photocopies of all original documents, if you fail to do so, you will be charged \$1.00 or KD 0.300 cash per photo copy. Do not make copies of the forms provided to you by the Immigrant Visa Unit. GUIDE TO NEW IMMIGRANTS - NEWCOMER RESOURCES: Welcome to the United States - A Guide for New Immigrants <https://www.uscis.gov/tools/green-card-resources/welcome-united-states>



M11 -Inquiry Regarding Impact of Travel Ban on DV2025

1 message

Consular Djibouti Mailbox<ConsularDjibouti@state.gov>
To: ABDIQADIR OMAR BARRE, [REDACTED]>

Mon, 30 Jun 2025 at 15:27

Dear Applicant,

Thank you for contacting the U.S Embassy in Djibouti.


However, we are writing to inform you that a consular officer found you ineligible for an immigrant visa under Section 212(f) of the Immigration and Nationality Act, pursuant to Presidential Proclamation “Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats”. This decision cannot be appealed. Taking into account the provisions of the Proclamation, a National Interest Exception (NIE) will not be granted in your case.

Kind Regards
Consular Section
U.S. Embassy Djibouti

SENSITIVE BUT UNCLASSIFIED

From: ABDIQADIR OMAR BARRE [REDACTED]
Sent: Sunday, June 29, 2025 10:18 AM
To: Consular Djibouti Mailbox <ConsularDjibouti@state.gov>
Subject: [External] M11 -Inquiry Regarding Impact of Travel Ban on DV2025

[Quoted text hidden]



U.S. Department of State
IMMIGRANT VISA APPLICATION


Refused

Immigrant Visa Case Number: 2025AS7445 01 KWT
Case Created: 06-Nov-2023
Case Last Updated: 25-Jun-2025

A U.S. consular officer has adjudicated and refused your visa application. Please see the letter you received at the interview.
For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov).

[Close](#)

Print



U.S. Department of State
IMMIGRANT VISA APPLICATION

Refused

Immigrant Visa Case Number: 2025AS3056 02 YRV
Case Created: 02-Nov-2023
Case Last Updated: 11-Jul-2025

A U.S. consular officer has adjudicated and refused your visa application. Please see the letter you received at the interview.
For more information, please visit [TRAVEL.STATE.GOV](https://travel.state.gov).

Your search has returned multiple results. Please select the Case Number to display the status.

Case Number	Status
2025AS3056 01 YRV	Issued
2025AS3056 02 YRV	Refused

[Close](#)

Print

Trump's Lawless, Baseless Immigration Ban

The ban will harm hundreds of thousands of peaceful people for nonsensical reasons.



DAVID J. BIER AND ALEX NOWRASTEH

JUN 05, 2025



7



7



1

Share

President Trump [signed](#) a proclamation Wednesday night that, with few exceptions bans nineteen nationalities from entering the United States starting Monday, supposedly based on “security” concerns. The ban repudiates the once-fundamental principle of US immigration law against discrimination between immigrants from different countries. It imposes devastating consequences on immigrants and foreign travelers, while severely harming their US citizen relatives, employers, and others. It also repudiates America’s principled tradition of welcoming immigrants fleeing theocracies and the worst socialist tyrannies.

The president claims that there is no way to vet these immigrants, yet that is precisely what his consular officers and border officials have successfully done for decades and will continue to do until Monday. He provides no evidence beyond innuendo that the disfavored peoples are a security threat. Only one immigrant born in any of these countries [has killed anyone](#) in a terrorist attack since 1981, and these immigrants are [less likely](#) to commit crimes serious enough to warrant incarceration in the United States than US-born Americans.

Thanks for reading Laissez-Faire, Laissez-Passer
w/ Alex Nowrasteh & David Bier! Subscribe for
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As we [warned](#) at the time, the Supreme Court greenlit this power grab over the legal immigration system during Trump’s first term, and now the president is taking full advantage of it, doing grave damage to America in the process. Although there are some carve-outs, the exceptions only go to the extent that the government knows there is no imminent threat from these immigrants. This action is just the latest in President Trump’s unrelenting assault on legal immigrants to the United States. Over four years, the ban will bar about 120,000 immigrants and over half a million temporary travelers.

Over half a million are threatened by these restrictions over 4 years

Non-exempt permanent and temporary visas from banned countries, CY 2024 and 2025-2029 projection

	Immigrants	Nonimmigrants
CY 2024	29,022	141,630
4 years	116,088	566,520

Source: [State Department](#) • [Get the data](#) • Created with [Datawrapper](#)

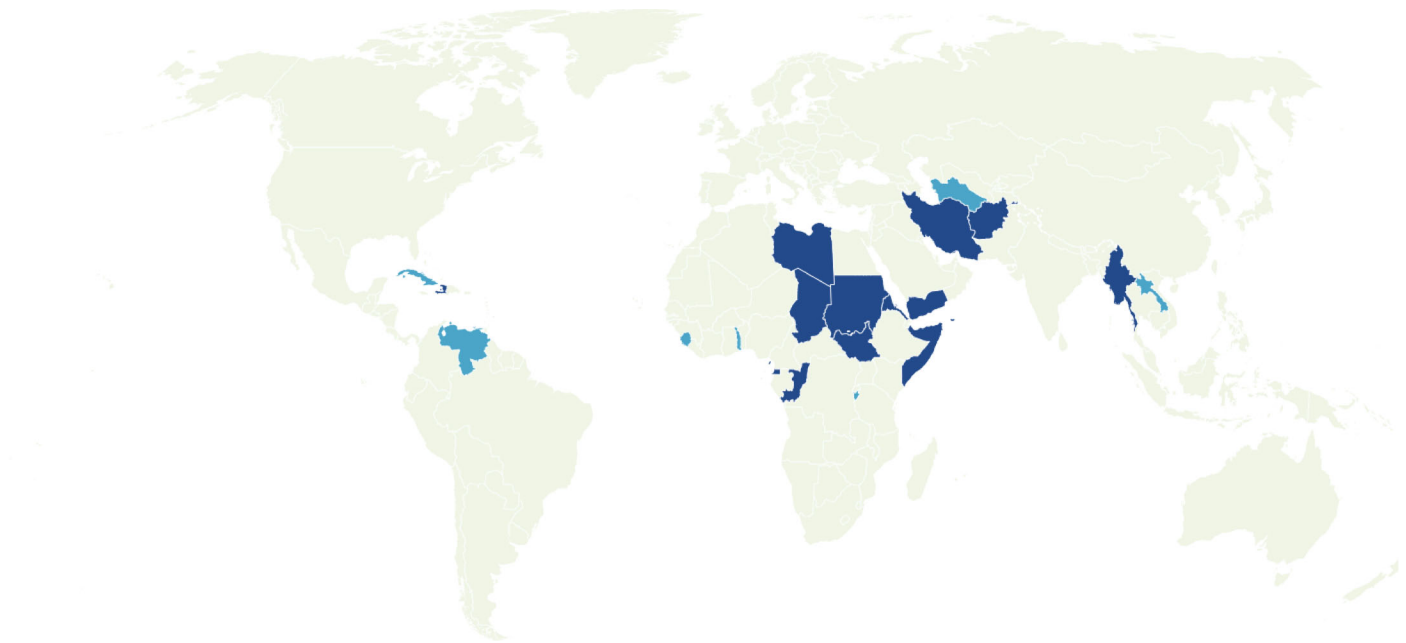
The Immigrants Targeted

President Trump’s proclamation divides his ban into two groups (“full” and “partial”). The only difference between them is that some guest workers and fiancés of US citizens can enter from the partial ban group. Everyone else from the partially banned countries is still banned.

- **The “full” ban group** (which still includes some exceptions): Afghanistan, Burma, Chad, the Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen.
- **The “partial” ban group:** Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela.

19 countries face a travel ban or restriction under Trump's order

No ban restriction Ban



Source: [The White House](#) • [Get the data](#) • Created with [Datawrapper](#)

Cubans would have the most legal permanent immigrants threatened by this action. With 30,524 likely banned over 4 years, they account for 25 percent of all immigrant visa applicants threatened. Yemenis and Iranians follow with about 17,000 immigrant visas threatened (~15 percent each). Among nonimmigrants, Venezuelans make up the biggest share. About a quarter of a million Venezuelans will lose their right to travel over the next 4 years—44 percent of the total number of banned travelers. Iranians (73,000) and Burmese (57,000) are second and third, respectively.

Cuban immigrants and Venezuelan nonimmigrants will face the biggest restrictions

Non-exempt visas for targeted nationalities, CY 2024 and 2025-2029 projection

Country	Immigrant			Nonimmigrant		
	2024	4-years	Share	2024	4-years	Share
Afghanistan	1,763	7,052	6.1%	2,659	10,636	1.9%
Burma	1,172	4,688	4.0%	14,251	57,004	10.1%
Chad	243	972	0.8%	1,031	4,124	0.7%
Congo, Republic	85	340	0.3%	1,796	7,184	1.3%
Equatorial Guinea	3	12	0.0%	607	2,428	0.4%
Eritrea	338	1,352	1.2%	1,676	6,704	1.2%
Haiti	1,269	5,076	4.4%	7,897	31,588	5.6%
Iran	4,346	17,384	15.0%	18,358	73,432	13.0%
Libya	174	696	0.6%	3,020	12,080	2.1%
Somalia	782	3,128	2.7%	293	1,172	0.2%
Sudan	2,499	9,996	8.6%	3,939	15,756	2.8%
Yemen	4,271	17,084	14.7%	3,417	13,668	2.4%
Partial						
Burundi	665	2,660	2.3%	880	3,520	0.6%
Cuba	7,549	30,196	26.0%	10,812	43,248	7.6%
Laos	190	760	0.7%	1,202	4,808	0.8%
Sierra Leone	444	1,776	1.5%	2,072	8,288	1.5%
Togo	1,311	5,244	4.5%	2,237	8,948	1.6%
Turkmenistan	670	2,680	2.3%	2,666	10,664	1.9%

Venezuela	1,248	4,992	4.3%	62,817	251,268	44.4%
Total	29,022	116,088	100%	141,630	566,520	100%

Source: [Department of State, "Visa Statistics."](#) • [Get the data](#) • Created with [Datawrapper](#)

The categories included in the ban:

- Immigrant visas for prospective legal permanent residents: 120,300 over 4 years, including:

- 5,700 workers
- 62,600 relatives of US citizens and legal permanent residents, including 35,500 spouses and minor children of green card holders

- Nonimmigrant workers: 14,500 over 4 years.

- Fiancé(e)s of US citizens (K visa): nearly 8,000 over four years

- Business travelers (B-1): About 80,000 of the B visas

- Other visitors (B-2): About 400,000 of the B visas

- Students (F): About 41,000 over 4 years

The most egregious of these are the spouses and minor children of green card holders and fiancé(e)s of US citizens. There is no possible justification for banning such close family members from the United States without exception.

Ban targets close family members, workers, students, and legal travelers

Non-exempt visas for targeted nationalities, CY 2024 and 2025-29 projection

Category	Immigrant			Nonimmigrant		
	2024	4-Year	Share	2024	4-Year	Share
Business/visitor	N/A	N/A	N/A	120,460	481,840	88%
Work	1,432	5,728	5%	3,619	14,476	3%
Student	N/A	N/A	N/A	10,188	40,752	7%
Spouse, fiancé, minor child	8,879	35,516	30%	1,940	7,760	1%
Other Family	6,774	27,096	23%	N/A	N/A	N/A
Other	11,937	47,748	43%	5,423	21,692	4%
Total	29,022	116,088	100%	136,207	544,828	100%
Exempt Family	37,303	149,212		2,200	8,800	

Source: [Department of State, "Visa Statistics."](#) • [Get the data](#) • Created with [Datawrapper](#)

Exemptions and their problems:

Broad exemptions:

- Current legal permanent residents;
- Current visa holders;
- Anyone currently inside the United States;
- Dual nationals of non-banned countries, if they have a passport other than one issued by a banned country;
- Special immigrants who worked for the US government abroad;
- Religious minorities from Iran;

- For the seven “partial” ban countries, all guest workers (C/D, E, H, L, O, P, and visas); and
- For the seven “partial” ban countries, fiancé(e)s of US citizens.

New limits on spouses, minor children, adoptees, parents of adult US citizens: Unlike fiancé(e)s of US citizens from the “full ban” countries and spouses and minor children of green card holders, these “exempt family” (150,000 over four years) are technically not subject to the ban. However, they are subject to a new evidentiary standard:

(v) immediate family immigrant visas (IR-1/CR-1, IR-2/CR-2, IR-5) with **clear and convincing evidence** of identity and family relationship (e.g., DNA);

Normally, the standard is the preponderance of the evidence, meaning that the consular officer should accept whatever the available evidence suggests. Now, spouses, minor children, and parents of US citizens will have to provide more evidence than usually required.

It’s not obvious what this process will entail. Apparently, DNA tests will be required for parents and children, though this is complicated if they are not the sponsor’s biological children. For spouses, normally, a marriage certificate would suffice to prove the relationship, but do they plan to call that into question now? If so, that could have cascading consequences for the children if they are not biologically related. The immigration ban could be much more severe than it seems at the moment.

Athletic team members for major sporting events: This exemption is necessary because the United States is hosting the World Cup (2026) and Olympics (2028), but the failure to include fans in the exemption is a direct violation of the promises made by the United States (specifically, the first Trump administration) when it won the right to host the games. In his 2018 letter to FIFA requesting to host the World Cup, Trump [said](#), “al

eligible athletes, officials and fans from all countries around the world would be able to enter the United States without discrimination.”

SPORTS

‘America will be open’: Casey Wasserman assures IOC visa issues won’t plague 2028 L.A. Olympics

In March, the US Chairman of the 2028 Olympics organizing committee [said](#): “America will be open and accepting to all 209 countries for the Olympics... We will welcome the people from the around the world.” The United States has proven itself unreliable international actor, jeopardizing these opportunities in the future.

Afghan allies: Afghans are exempt only if they receive special immigrant visas (SIVs) they did not initially bring over their spouse and child, those spouses and children may be banned from coming as immigrant visa holders.

The flimsy justification

The primary justification for this unprecedented restriction on legal immigration is that it is not possible to screen immigrants from these countries effectively because their governments do not share sufficient information about them. Therefore, the United States must adopt this ban to “protect its citizens from terrorist attacks and other national security or public-safety threats.”

1. **Current law already addresses cases of insufficient information.** Every immigrant visa applicant has [the burden of proof](#) to demonstrate that they qualify for a visa. If they are unable to prove who they are and their eligibility for the visa, they are already banned. The only people who get visas from these countries are people whose backgrounds are carefully documented for the US government. Consular officers denied 55 percent of B visas for business travelers and other visitors in FY 2024 for

immigrants, compared to [about 25 percent](#) for the rest of the world. It is shocking that President Trump would claim that consular officers are not doing their jobs without any evidence.

Consular officers already closely vetted "ban" country visitors

B visa denial rate, FY 2024

	Denials	Total Applications	Denial Rate
Ban Countries	129,498	234,030	55.33%
Non-Ban Countries	2,702,412	11,051,254	24.45%

Source: "Nonimmigrant Visa Statistics," US Department of State, 2025. • [Get the data](#) • Created with [Datawrapper](#)

2. The actual policy undermines the claim that this is about foreign government information sharing and a lack of information on applicants:

- **The ban applies to nationals living outside the targeted country.** However, the president implies at different points that this is a ban on travel “from” these *places*. It is not a place-based ban. This is a *nationality*-based restriction. Nothing exempts a national from one of these countries from these restrictions if they have never lived under the government, which Trump says does not provide the requisite information. For instance, Iranians [acquire](#) Iranian citizenship through their fathers, whether they were born in Iran or not. Most countries outside of the Western hemisphere do not have birthright citizenship, so those born abroad would not necessarily receive citizenship of their birth country.
- **The ban applies to nationals with travel histories to developed countries, including the United States.** The ban also applies to people with extensive travel histories globally, including the United States. Only *current* visa holders are exempt. People who spent considerable time in the United States are not. Most immigrants to the United States have spent time outside their birth country, and this policy’s refusal to account for that demonstrates that they want to exclude

people regardless of their background. [According to the United Nations](#), 38 million nationals from these countries live outside of their home country.

Many banned nationals do not live in their home countries

International migrant stock (persons living outside birth country) at mid-year 2024

Country of Origin	International Migrant St
Afghanistan	7,528,
Burma	4,320,
Burundi	576,
Chad	292,
Congo	231,
Cuba	1,879,
Equatorial Guinea	136,
Eritrea	912,
Haiti	2,017,
Iran	1,733,
Laos	660,
Libya	156,
Sierra Leone	63,
Somalia	1,935,
Sudan	3,786,
Togo	584,
Turkmenistan	365,
Venezuela	8,328,
Yemen	2,480,
Total	37,992,

Source: [United Nations](#), "International Migrant Stock." • [Get the data](#) • Created with [Datawrapper](#)

3. **The president provides no evidence connecting these nationalities to any threat past or current.** The proclamation has literally nothing that shows that visa security vetting for these nationals has not been working. It asserts that it hasn't been, but it gives zero evidence for this assertion. In this way, it is more threadbare and baseless than the [weak 2017 version](#) that at least attempted to provide evidence of past threats emanating from the banned countries.

4. **The evidence shows this ban isn't targeting security threats.** Based on Alex Nowrasteh's [extensive research on the backgrounds of foreign-born terrorists](#), we can say that nationals from the full and partial banned countries account for just 0.2 percent of all foreign-born terrorist deaths in the last 50 years. Only one deadly attack has occurred since 1981. In other words, this ban is remarkably unfocused on nationalities with past terrorist attacks in the United States. Moreover, immigrants from these countries [are 70 percent](#) less likely than US-born Americans (ages 18-54) have committed crimes serious enough to be incarcerated in the United States.

Targeted countries accounted for less than 0.5% of foreign-born terrorism deaths since 1975

Deaths from a terrorist attack carried out by a foreign-born terrorist by country, 1975-2023

Countries	Deaths	Share of All Murders	Year of Last Murder
All other ban countries	0	0%	Never
Cuba	5	0.16%	1980
Sudan	1	0.03%	2017
All Other Countries	3,040	99.80%	2019

Source: [Alex Nowrasteh, "Terrorism and Immigration," Cato Institute, March 2025](#). • [Get the data](#) • Created with [Datawrapper](#)

5. **Getting rid of the last travel ban did not result in terrorist attacks.** Trump [has said](#) that his previous ban prevented attacks, but there [were no attacks](#) at all by the eight nationalities targeted by the last ban. And when President Biden correctly ended the

bans, there were no attacks, proving that the entire premise was false. In fact, throughout President Biden's administration, there were [no deadly foreign-born terrorist attacks for the first time](#) for any administration since 1975.

Ending Trump's first travel ban did not lead to any successful terrorist attacks

Deaths by all foreign-born terrorists on US soil

Ford 4

Carter 4

Reagan 2

Bush I 2

Clinton 11

Bush II 2,981

Obama 30

Trump 12

Biden 0

Chart: @AlexNowrasteh • Source: [Cato Institute](#) • [Get the data](#) • Created with [Datawrapper](#)

6. Visa overstays don't justify the ban. The proclamation discusses visa overstay rates based on the Department of Homeland Security's Visa Overstay Report. The data on which the proclamation relies is both old and unreliable. The overstay rates it uses are two years out of date, and the department's overstay report [has repeatedly been shown not](#) to reflect the actual number of visa overstays accurately. This is because the government does a poor job of tracking temporary visitors when they leave the country or apply for a new status, leading to inflated counts of overstays. In any case, overstays do not demonstrate any unique security threat from these countries. President Trump [says](#) that the ban is necessary because of visa overstay terrorist attacks, but no visa overstay from these countries has killed anyone in a terrorist

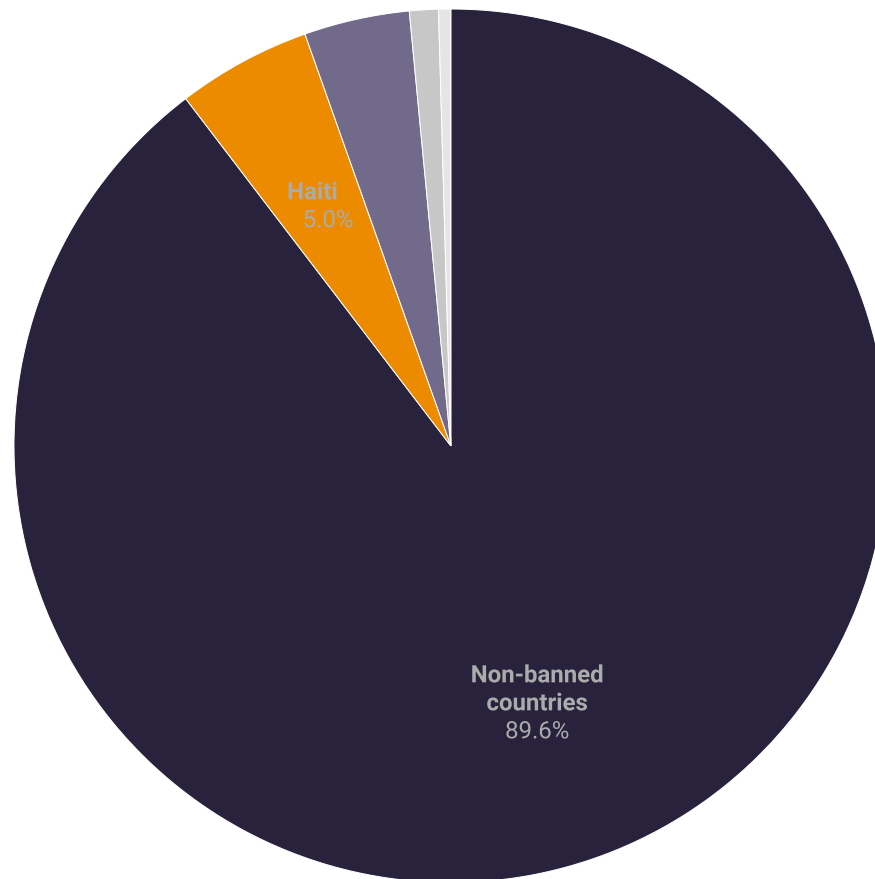
attack in the last half century. Moreover, all 19 countries are facing immigrant visa bans for *permanent* residents. It makes no sense to cite overstays to justify this ban on all legal immigration.

7. There is no consistent application of the ban's criteria. For instance, eight countries do not face any restrictions despite high overstay rates. Djibouti, Liberia, Bhutan, the Democratic Republic of the Congo, Angola, Malawi, the Gambia, and Benin all have overstay rates higher than Afghanistan, yet don't face any bans or restrictions from this proclamation. The anomalies could be explained by foreign policy considerations, as the proclamation states, information unavailable to the public, or the random policy gyrations so common during this administration. Moreover, 90 percent of visa overstays are not from the banned countries. Excluding Venezuela and Haiti, the other ban countries contribute negligible percentages of the overstay population. This is not a serious solution to visa overstay migration.

Banned countries made up a small percentage of overstays

Share of DHS estimated overstays by country, FY 2023

Non-banned countries Haiti Venezuela Other ban nations Other



[Get the data](#) • Created with [Datawrapper](#)

8. The exceptions undermine the purported justification for the ban.

- *Delayed proclamation:* The government report on these supposed foreign government information-sharing deficiencies was completed, according to the proclamation, in April, yet no action was taken by the president until June. This completely undercuts any assertion that there is any urgency to the ban or that delay will cause any harm to the public.
- *Delayed effective date:* From Wednesday until Monday, the government will continue to vet and issue visas under regular protocols as if nothing unusual is

happening. How can the administration possibly justify delaying this crucial policy that is supposedly necessary to save American lives? It can't.

- *Exemption for current visa holders:* The government graciously exempts all current visa holders from the ban. That is certainly better than the alternative, but it demonstrates that the government does not really believe that these visas were issued improperly to security threats. These people will be able to travel to the United States as if people from these countries aren't actual threats.
- *Exemption for foreign government officials:* After spending pages talking about how these foreign governments are such an enormous problem, can't vet their own people, and participate in terrorism, the president proceeds to exempt all officials from these countries from the ban. How does this make sense? It is worth noting that the last deadly terrorist attack in the United States happened in 2019 under President Trump by [someone entering on a diplomatic visa](#) from Saudi Arabia. Trump had let them in to undergo training as part of an arms shipment to one of the world's most evil governments. The irony is that under Trump, the persecutors get visas, while their persecuted people get bans.

9. Cutting legal immigration will not stop illegal immigration. In justifying a total ban on Haitians, President Trump states that "hundreds of thousands of illegal Haitian aliens flooded into the United States during the Biden Administration." This is untrue. Barely 50,000 [crossed illegally](#) and were not immediately expelled from FY 2021 to FY 2024. Those crossings all occurred when ports of entry were closed. Once ports of entry were reopened to legal entries, Haitians [returned to crossing legally](#). Shutting down legal immigration for Haitians will not result in less illegal immigration.

Despite what President Trump believes, immigrants from these countries do contribute to a safer and more prosperous America.

Conclusion

The title of Trump's proclamation is "Restricting the Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats." However, the proclamation also states, "I considered foreign policy, national security, and counterterrorism goals" when determining which countries to ban and to what extent. In other words, the basis is whatever the administration wants.

In its infinite wisdom, the [Supreme Court](#) in 2018 gave every American president unlimited power to ban immigrants from anywhere with the stroke of a pen and the invocation of a few magic words. The Trump administration's justifications for the proclamation won't be revealed, and even if they were found to be entirely illogical, wouldn't make a legal difference under current precedent. The justifications for the travel ban will forever remain mysterious, just like the biggest mystery of all: What took Trump so long to act? We will never know for sure, but the security justifications provided don't cut it.

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Vladan Lausevic 6d

Trump's nationalist and discriminatory politics are creating poverty both in the USA and world-w
Such decisions are not only arbitrary and inhumane but also denying rights and freedom to hum
only because one is born in a certain country

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Long Term View 7d

We have immigrated over 100 million people in the last 30 years. Why do we need more, this jus
to our carbon footprint and drives inflation with demand for food and goods outstripping supply

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7/2/25, 6:51 AM

Case 1:25-cv-02369 Document 1-7 Filed 07/22/25 Page 19 of 33

How Trump's travel ban could disrupt the way knowledge about health is shared : NPR

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GOATS AND SODA

How Trump's travel ban could disrupt the way knowledge about health is shared

JUNE 17, 2025 · 1:10 PM ET

HEARD ON ALL THINGS CONSIDERED

By Jonathan Lambert

[2-Minute Listen](#)[PLAYLIST](#)[TRANSCRIPT](#)

A rally in New York on June 9 protested President Donald Trump's new travel ban, which restricts entry to the United States for citizens from 19 countries.

EXHIBIT G, 19 OF 33

Abdul-Rahman Edward Koroma was supposed to be in New York last week.

For months, the disability rights activist from Sierra Leone had been looking forward to his trip to the United Nations session. He had a busy schedule of meetings and official events talking about the challenges of living with a disability in his country, including showcasing a documentary about how the disability community is especially vulnerable to flooding and landslides associated with climate change.

But on June 5, he learned he couldn't come. Sierra Leone was one of 19 countries where President Trump had banned or restricted the ability to travel to the U.S.

"Honestly, for me, it's quite painful, and it's quite disappointing," says Koroma. "I hope the U.S. government will reconsider. The world is a global village, we all need each other, one way or the other."



Abdul-Rahman Edward Koroma at the Global Disability Summit in Berlin this past April. The disability rights advocate from Sierra Leone could not attend a United Nations conference in New York because of the Trump administration's travel restrictions. He uses a wheelchair because of injuries in a traffic accident.

EXHIBIT G, 21 OF 33

Why is Sierra Leone on the list? The Trump administration cites high levels of visitors to the U.S. who've overstayed their visa as the reason. Other countries were selected for national security reasons.

"We will restore the travel ban, some people call it the Trump travel ban, and keep the radical Islamic terrorists out of our country that was upheld by the Supreme Court," President Trump said in a statement.

The administration banned travelers from Afghanistan, Myanmar, Chad, the Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan and Yemen. Travelers from Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan and Venezuela also face some restrictions.

More bans may be coming. A State Department memo first reported by the Washington Post and confirmed by NPR suggests the administration may add 36 more countries, largely in Africa, to the banned or restricted list.

Consequences of the ban

Stories like Koroma's will likely accumulate over the coming weeks and months, as global health researchers, workers and advocates from these countries are barred from coming to the U.S. to learn — and to share their expertise. Some global health specialists say the restrictions will ultimately harm U.S. interests by reducing our engagement with the world.

"We are closing ourselves off from the active participation of potential allies," says Judd Walson, an epidemiologist at Johns Hopkins University. "That will only lead to negative consequences in the long term."

Closing the U.S. off could ultimately open it up more to global health threats, says Walson.

The ban follows the administration's cancellation of foreign aid and withdrawal of U.S. membership from the World Health Organization. Walson says these decisions are upending many of the institutions designed to detect and respond to disease threats worldwide.

"As we think about the new architecture of global health and how it can respond to the many crises that emerge around the world, participation from all these countries is critical," says Walson, and ultimately benefits Americans.

He notes that new infectious disease threats could emerge from any of the banned countries.

"Our inability to engage with partners from those places, who can serve as eyes and ears on the ground to identify threats. just hampers our ability to have a coordinated response,"

Abraar Karan, an infectious disease physician at Stanford University, is concerned future bans could hamper his team's research on Marburg, a hemorrhagic fever virus. It's normally found in bats, but can spillover into humans, sparking deadly outbreaks.

Karan and his team are trying to understand those spillover dynamics, in part by studying antibodies in people who live near past outbreaks along the Uganda-Kenya border.

"Part of the testing we'd do involves a test where there's expertise in Uganda, at the Ugandan Viral Research Institute," says Karan.

Uganda is among the 36 countries under consideration for future restrictions. If that happens, Karan worries his team may have restricted access to that expertise. While such restrictions wouldn't preclude collaboration via Zoom, Karan says it's just not the same as in-person.

"Many of the best conversations and ideas that we had happened during our drives, during meals or unplanned moments," he says of interactions with foreign researchers in person. "Implementing these kinds of bans has a huge effect on research studies and really impedes progress."

Scientific conferences often serve as the nexus for that kind of collaboration, where researchers gather to share research and connect with colleagues. Trump's travel restrictions are already preventing some scientists from being able to travel to the U.S. for conferences.

"We need to have such participation and contact, but it's now very difficult," said a biomedical scientist from Yemen who requested anonymity because speaking out could draw negative attention that would cause her university to retaliate. The scientist was planning to travel to California this fall for a conference on cancer management but cannot because of the ban, noting: "Such an absolute restriction for all people is not wise."

The U.S. could also lose its global role as a key location for trainings and scientific conferences. The travel bans, coupled with broader tensions around immigration in the U.S., have already led organizers of these events to look elsewhere.

"Our research team decided to host a planning meeting in London as opposed to the U.S. due to concerns with visas and the overall climate," says Walson. There are economic consequences if U.S. conferences are canceled, he says. And with a

likely reduced U.S. presence at conferences held elsewhere, there could be more intangible impacts too.

"Diseases don't respect borders, and infections travel faster than diplomacy," says Walson. "Whether we want to or not, we have to understand the reality of the global community as it is today. If we don't engage, we will suffer the consequences."

president trump travel ban

The White House is one step closer to defunding public radio.

The House has voted to claw back all federal funding for public media, and the proposal now moves to the Senate.

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The consequences of this vote fall directly on the Americans who rely on local, independent stations serving communities across the country. Take action.

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PRESS RELEASE

Trump Travel Ban Will Have Severe Economic, Humanitarian Costs

June 4, 2025

WASHINGTON DC, June 4, 2025—Today, citing national security concerns, President Trump reinstated and expanded the nationality-based travel bans from his first term in office. The sweeping travel ban follows a slew of Trump administration actions that, while invoking questionable legal authority, are aimed at making the United States less friendly to immigrants of all kinds.

The new travel restrictions fully suspend the issuance of immigrant and nonimmigrant visas to nationals from Afghanistan, Burma, Chad, Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen, and bans immigrant visas and B-1/B-2, F, M, and J visas for nationals of Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan and Venezuela.

There are limited exceptions, including for immediate relatives of U.S. citizens, Afghan Special Immigrant Visa beneficiaries, and individuals who qualify for a national interest waiver. The ban also does not apply to individuals who currently hold valid visas, as well as people with green cards. The ban goes into effect at 12:01 AM on June 9.

The 19 countries covered by this new ban represent over 475 million people. In 2023, over 115,000 people from Cuba, Venezuela, and Haiti alone received green cards.

Simultaneously with this new travel ban, Trump invoked the same legal authority to ban all new foreign students and researchers aiming to attend or work at Harvard University, an unprecedented attack on American higher education. Instead of fixing the root problems in our broken immigration

EXHIBIT G, 26 OF 33

system – no legal pathways for those who have lived here decades, massive backlogs, and lack of infrastructure for processing asylum seekers at the border– Trump’s policies are aimed at attacking all classes of immigrants.

The following statement is from Jeremy Robbins, executive director of the American Immigration Council:

“It’s imperative that our government protect our national security and ensure that people who present a danger to Americans are not let into the country. But President Trump’s decision to reimpose and expand the blanket and discriminatory nationality-based travel bans of his first term will have massive costs for all Americans. These travel bans do nothing to make us safer or more prosperous: they harm our economy and indiscriminately punish immigrants who otherwise qualify to come to the United States legally.

We are already at a precarious moment for our economy. Within the United States, immigrants who originate from the 19 targeted countries are already contributing significantly to the U.S. economy, earning billions of dollars of income and paying back billions in taxes. People from some nationalities on this travel ban list are already playing an outsized role in driving entrepreneurship and filling in labor shortages in STEM and healthcare. By categorically denying visas because of where a person was born, we are stamping out one of the major sources of our country’s economic clout.

Today’s decision will prevent people from joining their families, studying at our universities, or traveling here for business solely because of the country in which they were born or the nationality they derived from a parent.

The travel bans of the Trump administration’s first term never demonstrated any meaningful value as a national security tool. Sweeping national origin bans declare many innocent people to be a threat based on factors they cannot control in their home countries. There is no evidence this is making us safer.

When President Johnson signed the 1965 Immigration and Nationality Act, he declared that ‘never again’ will discrimination based on national origin ‘shadow the gate to the American Nation with the twin barriers of prejudice and privilege.’ Unfortunately, today President Trump once again restores that exact discrimination.”

###

202-507-7500

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Trump Practically Bans Travel and Immigration from 12 Countries Based on Flimsy Security Justifications

Travel ban déjà vu



ALEX NOWRASTEH

JUN 04, 2025



8



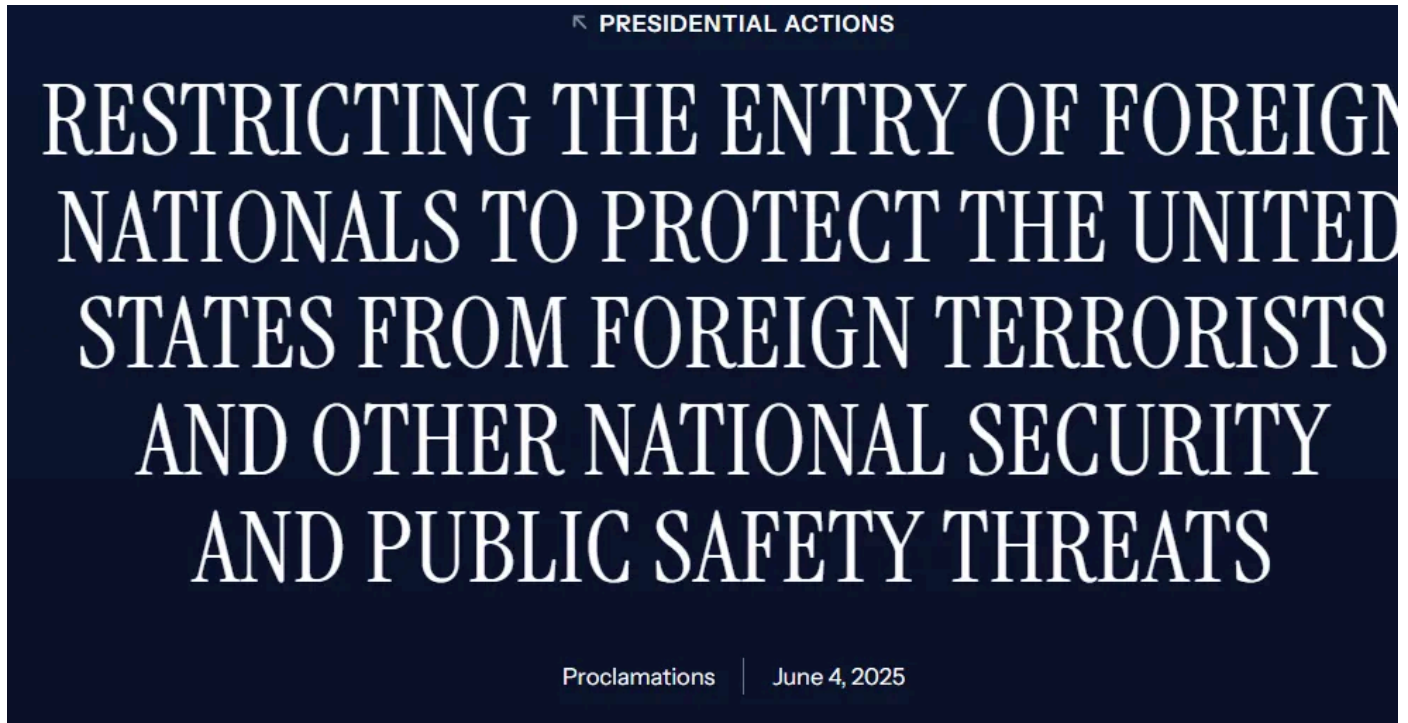
1



1

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President Trump [announced](#) that he's banning almost all travel and immigration from Afghanistan, Burma, Chad, the Republic of Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen for "[terrorism-related and public-safety risks](#)". There are some [exceptions](#) for adoptions, immediate family members of US citizens, and a handful of other visas. A [single terrorist](#) from those countries murdered one person in an attack on US soil: Emanuel Kidega Samson from Sudan, who committed an attack motivated by anti-white animus in 2017. The annual chance of being murdered by a terrorist from one of the banned countries from 1975 to the end of 2024 was about 1 in 13.9 billion per year.



Trump's announcement comes after [Mohamed Soliman](#), an Egyptian who entered on a tourist visa, attacked a group of Jewish protesters in Colorado with a makeshift flamethrower. Egypt isn't on the list of banned countries, though. Another curious omission is Syria. Perhaps foreign relations are more important in determining which countries are on the list instead of actual security? It's fruitless to speculate about the specific countries omitted or included on the list because the government has not released its report on visa security.

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Trump also restricted travel from Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela, albeit less severely than from the dozen countries above. Terrorists from those countries murdered five people in attacks on US soil since

1975, the last one in 1980. Cuban terrorists were the only perpetrators of attackers during that period who murdered people in their attacks.

The threat of foreign-born terrorism on US soil is above zero but also [small and manageable](#) without further government interventions. The government spends more on anti-terrorism activities than would pass a cost-benefit test. The last person murdered in an attack committed by a foreign-born terrorist was in 2019 when Saudi-born [Mohammed Saeed Alshamrani](#) murdered three in a shooting at the Pensacola Naval Air Station. He was here on a visa training with the US military. [Zero Americans](#) were murdered in attacks on US soil committed when President Biden was in office, the first administration in my data set not to have a single American die in such an attack.

Table 1

Chance of dying in an attack by a foreign-born terrorist, 1975–2024

Visa category	Terrorism deaths per visa category	Annual chance of being killed
All	3,046.0	1 in 4,559,76
Tourist	2,829.4	1 in 4,908,81
Student	158.8	1 in 87,468,35
Lawful permanent resident	23.0	1 in 603,871,90
K-1 fiancé(e)	14.0	1 in 992,075,27
Asylum	9.0	1 in 1,543,228,20
Refugee	4.0	1 in 3,472,263,45
Unknown	3.8	1 in 3,655,014,16
Government (A-2)	3.0	1 in 4,629,684,60
Visa Waiver Program	1.0	1 in 13,889,053,80
H-1B	0.0	
Illegal	0.0	
Parole	0.0	

Trump also justified the country-level travel and immigration restrictions to prevent immigrant criminality on the assumption that travelers and immigrants from those countries are serious sources of crime. According to the US Census and American Community Survey Data, travelers and immigrants from the dozen banned countries have a nationwide incarceration rate of 370 per 100,000 in 2023 for the 18-54 aged population – 70 percent below that of native-born Americans. Their incarceration rate is about 16 percent higher than for all legal immigrants and 40 percent below all illegal immigrants. The incarceration rate for the visa-restricted countries of Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela was almost identical at 369 per 100,000.

The United States government has a responsibility to keep terrorists and criminals out of the country and to remove those who make it through. However, the government should pursue a rational and evidence-based approach when evaluating the threat posed by foreign nationals. Otherwise, the government is wasting resources and impeding peaceful and voluntary exchange for no purpose. The Trump administration has banned large swaths of travelers and immigrants from many countries based on evidence that it likely won't release and, if it does, will likely raise more questions than answers. The threat of foreign-born terrorism and crime is manageable and small, especially from the countries facing new bans and restrictions by the administration.

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Lori Meldrum 6d

110% agree.

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1

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CIVIL COVER SHEET

JS-44 (Rev. 11/2020 DC)

I. (a) PLAINTIFFS <p style="text-align: center;">AYE AYE THEIN, <i>et al.</i> (See attached.)</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>99999</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p>	DEFENDANTS <p>DONALD J. TRUMP, <i>in his official capacity as the President of the United States</i>; and MARCO RUBIO, <i>in his official capacity as U.S. Secretary of State</i></p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY)</p> <p style="font-size: small;">NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</p>
<p>(c) ATTORNEYS (FIRMNAME, ADDRESS, AND TELEPHONE NUMBER)</p> <p>Curtis Lee Morrison RED EAGLE LAW, L.C. 5256 S. Mission Road, Suite 135 Bonsall, CA 92003 Phone: (714) 661-3446</p>	<p>ATTORNEYS (IF KNOWN)</p> <p style="text-align: center;">U.S. Department of Justice</p>

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY) <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="radio"/> 1 U.S. Government Plaintiff </div> <div style="width: 48%;"> <input type="radio"/> 3 Federal Question (U.S. Government Not a Party) </div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="radio"/> 2 U.S. Government Defendant </div> <div style="width: 48%;"> <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III) </div> </div>	III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! <table style="width: 100%; font-size: small;"> <thead> <tr> <th></th> <th>PTF</th> <th>DFT</th> <th></th> <th>PTF</th> <th>DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td><input type="radio"/> 1</td> <td><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td><input type="radio"/> 4</td> <td><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="radio"/> 2</td> <td><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="radio"/> 5</td> <td><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="radio"/> 3</td> <td><input type="radio"/> 3</td> <td>Foreign Nation</td> <td><input type="radio"/> 6</td> <td><input type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6
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Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input type="radio"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<input type="radio"/> A. Antitrust <input type="checkbox"/> 410 Antitrust	<input type="radio"/> B. Personal Injury/Malpractice <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Medical Malpractice <input type="checkbox"/> 365 Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Product Liability	<input type="radio"/> C. Administrative Agency Review <input type="checkbox"/> 151 Medicare Act <u>Social Security</u> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <u>Other Statutes</u> <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)	<input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction <p>Any nature of suit from any category may be selected for this category of case assignment.</p> <p>*(If Antitrust, then A governs)*</p>
<div style="display: flex; justify-content: space-around;"> <input checked="" type="radio"/> E. General Civil (Other) OR <input type="radio"/> F. Pro Se General Civil </div>			
<u>Real Property</u> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <u>Personal Property</u> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<u>Bankruptcy</u> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <u>Prisoner Petitions</u> <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions <input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement <u>Property Rights</u> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent – Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 (DTSA)	<u>Federal Tax Suits</u> <input type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 <u>Forfeiture/Penalty</u> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <u>Other Statutes</u> <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 430 Banks & Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 462 Naturalization Application	<input checked="" type="checkbox"/> 465 Other Immigration Actions <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act (TCPA) <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) *(If pro se, select this deck)*	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify)
 ☐ 6 Multi-district Litigation
 ☐ 7 Appeal to District Judge from Mag. Judge
 ☐ 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)
 APA, § 706(2)(A) and (D); APA, 5 U.S.C. § 706(2); APA, 5 U.S.C. § 706(1); APA, 5 U.S.C. § 555(b); 28 U.S.C. § 1361 - Challenging unreasonable delays in final visa adjudications and the underlying policies responsible for the delays.

VII. REQUESTED IN COMPLAINT

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

JURY DEMAND:

Check YES only if demanded in complaint
 YES ☐ NO ☒

VIII. RELATED CASE(S) IF ANY

(See instruction)

YES ☒ NO ☐

If yes, please complete related case form

DATE: July 22, 2025

SIGNATURE OF ATTORNEY OF RECORD /s/ Curtis Lee Morrison

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil coversheet. These tips coincide with the Roman Numerals on the cover sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI.** CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Attachment 1: List of All Plaintiffs

1. AYE AYE THEIN
2. FAYAZ CHARKHY
3. NARGES AHMADI
4. NOOR AHMAD AHRARI
5. F.A.
6. E.A.
7. A.A.
8. KOFFI FABRICE DJONDO
9. NAJAH MOHAMED
10. ABDIRAHIM ALI NOR
11. ABDIQADIR OMAR BARRE
12. ABDIKARIIM OSMAN ABDILAH
13. SUAD ABDI ABDULAH
14. FARTUN ABDULAH
15. ABDIWALI BOCOR
16. PARASTOO SHOORCHE
17. POORIA ZARGARI
18. SAMIN SOLTANIAN
19. ZEINAB GHORBANI
20. MAHYA ROUHOLLAHI MASOUMI
21. SEYEDALI SABETI
22. SHAHLA ZAMZAMI
23. HASSAN KARIMIAN
24. MARYAM ALMASI KASHI
25. SEYED SINA MOUSAVI
26. GOLNOOSH EZZATOLLAHZADEH
27. SEYED HOSSEIN HADAEGHI
28. ASHRAF AHMADI
29. ASAL SADRZADEH
30. MOKHTAR KURDI
31. PARISA BADPARVA
32. AKRAM RADMAND HASANKIADEH
33. MEHDI SOJOURI KELISHAMI
34. HAMIDREZA SHAFIEE
35. FARZANEH MAJEDI
36. ALIREZA ATAEI
37. JAVAD TOHFEH
38. KOBRA ESLAMIEH
39. B.T.

40. SEYED ALI SEYED AGHAMIRI
41. ELHAM MOOSEFID
42. PEGAH ETEHAD
43. MEYSAM MOHAMMADGHORBANI
44. REZA FOOLADI
45. ZAHRA HOSSEINI
46. REZA JAVID
47. EHSAN ESMAEILI
48. MARYAM KHADEMI KOHNEHSHAHRI
49. ARMAN FEIZ
50. MALIHSA OLADI
51. ALI AZARPIRA
52. FARHAD KOSARI MOGHADDAM
53. NASIM MOHAMMADI KOUHSAREH
54. HAMED ROSTAMI
55. MOHAMMADSADEGH SADAGHIAN
56. MITRA SADAGHIAN
57. ARSHIA SADAGHIAN
58. SARISA AHMADI
59. SALAR NEJATI
60. MEHDI GHASEMI
61. FATEMEH SHAKERI ABDOLMALEKI
62. NIMA MESBAHZAKERI
63. SETAREH MOGHIMI AZARBAIJAN
64. SOHEIL MOZHDEHI
65. SHAHRZAD GHOLAMI
66. MAJID SOHEILI
67. K.S.
68. SOMAYEH FARHADIFOUMESHI
69. MOHAMMADMAHDI GHOLIPOUR
70. ZAHRA FARNAZ KAZEMZADEH MARAND
71. AMIRHOSSEIN BOLOURIAN TEHRANI
72. NARJES HEYDARI
73. REZA SHEYKHI
74. NEGIN SALIMI
75. ZAYNAB SADAT HASSANI
76. MAYSAM MAHBOUBMOJAZ
77. MOHAMMAD MAHMOUDI
78. MASOUMEH JABBARZADEH
79. AMIRREZA AMIRLOO

80. SARA BOZORGMEHR
81. JAVAD SANATGAR
82. NINA NEJATBAKHSH
83. SHAHAB TOLOUEE KHATIBI
84. MAHDI AZMOODEH
85. ELHAM POURHOSSEINY
86. R.A.M.
87. R.A.
88. FARZANEH MORADI
89. SIAVASH SHAHMORADI
90. TOHID DOUDKANLOUIMILAN
91. ALI NEMATZADEH
92. ADELEH AFSHARPOUR
93. HAMIDREZA POULADSANJ
94. ALIREZA POULADSANJ
95. A.P.
96. AZAMOLSADAT SEYED ABOLHASSANI NADAF
97. AMIR OSTADZADEH
98. HABIB FARD RAFIE
99. NEDA MOKHBERI
100. S.F.R.
101. FERESHTEH FARZADFAR
102. MILAD FAIZ