

Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Juweiya Abdiaziz ALI; A.F.A., a minor;
Reema Khaled DAHMAN; G.E., a minor;
Jaffer Akhlaq HUSSAIN; Seyedehfatemeh
HAMEDANI; Olad Issa OMAR; Faduma
Olad ISSA; F.O.I., a minor; and S.O.I., a
minor; on behalf of themselves as individuals
and on behalf of others similarly situated,

Plaintiffs,

v.

Donald TRUMP, President of the United States
of America; Jefferson B. SESSIONS, Attorney
General of the United States; U.S.
DEPARTMENT OF STATE; Rex W.
TILLERSON, Secretary of State; U.S.
DEPARTMENT OF HOMELAND
SECURITY; John F. KELLY, Secretary of
Homeland Security; U.S. CITIZENSHIP AND
IMMIGRATION SERVICES; Lori
SCIALABBA, Acting Director of USCIS;
CUSTOMS AND BORDER PROTECTION;
Kevin K. McALEENAN, Acting
Commissioner of CBP; OFFICE OF THE
DIRECTOR OF NATIONAL
INTELLIGENCE; Michael DEMPSEY,
Acting Director of National Intelligence,

Defendants.

Case No.: 2:17-cv-00135-JLR

**DECLARATION OF MARIA LUCIA
CHAVEZ IN SUPPORT OF PLAINTIFFS'
EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

1 I, Maria Lucia Chavez, declare as follows:

2 1. I am counsel of record for Plaintiffs in this case. I submit this declaration in support of
3 Plaintiffs' Emergency Motion for a Temporary Restraining Order and a Preliminary Injunction,
4 Dkt. 53.

5 2. I have personal knowledge of the facts set forth herein, and, if called as a witness, I could
6 and would testify completely as set forth below.

7 3. I am an attorney in the Family Services Unit at Northwest Immigrant Rights Project in
8 Seattle, Washington, where my primary focus is assisting individuals in family-based petitions
9 and immigrant visa applications.
10

11 ***Plaintiffs Olad Issa Omar, Faduma Olad Issa, F.O.I., and S.O.I.***

12 4. I represent Plaintiff Olad Issa Omar and his three children, Plaintiff Faduma Olad Issa,
13 Plaintiff F.O.I., and Plaintiff S.O.I. in connection with their immigrant visa applications.

14 5. Plaintiff Omar, a U.S. citizen, filed separate immigrant visa petitions on Form I-130 on
15 behalf of each of his three children, who are citizens of Somalia, born in Kenya.

16 6. Upon approval of three immigrant visa petitions, Plaintiffs Issa, F.O.I., and S.O.I.
17 immigrant visa numbers were immediately available to them as immediate relatives of a U.S.
18 citizen (category IR2) and thus, they were eligible to apply for immigrant visas. Plaintiffs Issa,
19 F.O.I., and S.O.I. were scheduled to attend their immigrant visa interview at the U.S. Embassy in
20 Nairobi in November 2016, but that interview was cancelled and they were asked to reschedule
21 another immigrant visa interview and pay the immigrant visa application fee in person at the
22 U.S. Embassy in Nairobi. Before the announcement of the first Executive Order (EO1), they
23 were scheduled for an immigrant visa interview on March 20, 2017. Due to EO1, the State
24 Department subsequently cancelled the March 20 interview.

25 7. On March 13, 2017, Plaintiffs Issa, F.O.I., and S.O.I. attended a rescheduled immigrant
26 visa interview at the U.S. Embassy in Nairobi.
27

1 8. On March 13, 2017, after Plaintiffs Issa, F.O.I., and S.O.I. attended their immigrant visa
 2 interview, I checked the immigrant visa case status of Plaintiff Issa, the oldest of the three
 3 children, by accessing the Consular Electronic Application Center (“CEAC”) of the U.S.
 4 Department of State, *available at* <https://ceac.state.gov/ceacstatracker/status.aspx>. Her case
 5 information was last updated on March 13, 2017 and the status is “Administrative Processing.”
 6 *See* Ex. A.

7
 8 9. I also checked the immigrant visa case status of Plaintiffs F.O.I. and S.O.I. The CEAC
 9 database indicates that each of their cases was last updated on March 13, 2017 and the case status
 10 is “Ready.” *See* Exs. B and C.

11 10. On March 13, 2017, Plaintiffs Issa, F.O.I., and S.O.I. attended their immigrant visa
 12 interview together. At their immigrant visa interview, they were given two documents. The first
 13 advised their immigrant visas had been refused under Section 221(g) of the Immigration and
 14 Nationality Act (“INA”), 8 U.S.C. § 1201(g), requesting further information related to each of
 15 their individual cases. *See* Ex. D. The second document “recommended” DNA test results for all
 16 three children to confirm their relation to their father, Plaintiff Omar. *See* Ex. E. While the notice
 17 they received notes that it is “recommended” that the children provide DNA test results, in my
 18 experience, when this information is not provided, the consular officer will deny the visa
 19 application, so a “recommendation” is in fact a requirement.

20 11. Also in my experience, although the CEAC status update indicates F.O.I.’s and S.O.I.’s
 21 immigrant visa cases as being “Ready,” they are also in “Administrative Processing,” like their
 22 sister Plaintiff Issa’s immigrant visa case.

23 12. When a case status is listed as in “Administrative Processing”, it does not mean a visa
 24 applicant has received a final adjudication of their immigrant visa application. Further, a visa
 25 “refusal” under INA § 221(g) does not mean the adjudication of an immigrant visa application
 26 has concluded *and* they now have to reapply for an immigrant visa all over again. Having a visa
 27 refused under Section 221(g) of the INA “means that the consular officer did not have all of the
 28

1 information required to determine if you are eligible to receive a visa. This means you are not
 2 eligible for the visa now, but your case is pending further action for one of the following
 3 reasons...” *See* Ex. F at 3. One of those reasons can be “Administrative Processing.” *See id.* In
 4 my experience, the U.S. Department of State uses the terms “refused” and “denied”
 5 interchangeably. *See, e.g.,* Ex. F at 2.

6
 7 13. The consular officer is asking Plaintiffs Issa, F.O.I., and S.O.I. to provide the missing
 8 documents or information for the adjudication of their immigrant visa application. In fact,
 9 according to the U.S. Department of State’s information, under Visa Denials, “[a]fter submitting
 10 the documentation, your visa application can then be processed to conclusion to determine
 11 whether you qualify for a visa. You have one year from the date you were refused a visa to
 12 submit the additional information.” *See* Ex. F at 3.

13 14. The State Department, through the consular officer, has asked Plaintiff Issa to provide a
 14 Kenyan police certificate and “recommending” that she provide DNA test results. *See* Exs. D and
 15 E.

16 15. The State Department, through the consular officer, has asked Plaintiff F.O.I. to provide
 17 Form I-864, Affidavit of Financial Support, along with her father and petitioner Plaintiff Omar’s
 18 2015 or 2016 tax return transcripts, and is “recommending” that she provide DNA test results.
 19 *See id.* The consular officer is asking Plaintiff F.O.I. to provide Form I-864 because she soon
 20 will turn 18 years old and, due to the DNA test result request which can take months to obtain,
 21 and her Form I-864W, Request for Exemption for Intending Immigrant’s Affidavit of Support,
 22 will no longer be considered. Turning 18 years old in a couple of months would also require
 23 Plaintiff F.O.I. to submit a police certificate.

24 16. The State Department, through the consular officer, has asked Plaintiff S.O.I. to provide a
 25 power of attorney signed by their father, Plaintiff Omar, to allow his sister, Plaintiff Issa, to
 26 represent him in his interview given that I.S.O. is a minor, and is “recommending” that he
 27 provide DNA test results. *See id.*

17. Provided the second Executive Order (EO2) does not suspend, delay, or negatively impact the immigrant visa process, after submitting the requested documents and information, the U.S. Embassy will proceed with its adjudication of the immigrant visa applications of Plaintiffs Issa, F.O.I., and S.O.I. In my experience, this means that the U.S. Embassy subsequently would issue them immigrant visas (in a sealed envelope known as an immigrant visa packet).

Plaintiffs Juweiya Abdiaziz Ali and A.F.A.

18. I also represent Plaintiff Juweiya Abdiaziz Ali and her son, Plaintiff A.F.A., in the child's immigrant visa application.

19. Plaintiff Ali, a U.S. citizen, filed a family-based immigrant visa petition (Form I-130) on behalf of Plaintiff A.F.A., who is a citizen of Somalia, born in Somalia.

20. Upon approval of the family visa petition, as an immediate relative of a U.S. citizen (category IR2), an immigrant visa number was immediately available to Plaintiff A.F.A., and thus, he was immediately eligible to apply for an immigrant visa .

21. The civil documents related to A.F.A.'s case were mailed to the National Visa Center ("NVC") on January 20, 2017 via United Parcel Service, and received by the NVC on January 27, 2017. *See* Ex. G. Also on January 20, 2017, A.F.A.'s Form DS-260, Immigrant Visa Electronic Application, was completed and electronically submitted. *See* Ex. H. Therefore, A.F.A. has submitted an immigrant visa application, the adjudication of which is pending. He is waiting for the U.S. Embassy to schedule his immigrant visa interview.

22. Provided EO2 does not suspend, delay or negatively impact the immigrant visa process, the U.S. Embassy will proceed with its adjudication of Plaintiff A.F.A.'s immigrant visa application.

Plaintiffs Reema Khaled Dahman and G.E.

23. I also represent Plaintiff Reema Khaled Dahman and her son, Plaintiff G.E., in the child's immigrant visa application.

24. Plaintiff Dahman, a lawful permanent resident, filed a family-based immigrant visa petition (Form I-130) on behalf of Plaintiff G.E., who is a citizen of Syrian, born in Syria.

25. Plaintiff G.E. has a Priority Date (category F2A) of October 19, 2015, the date Plaintiff Dahman's Form I-130 was filed with U.S. Citizenship and Immigration Services. When a priority date is current it means that an immigrant visa number is available and the person then is eligible to apply for an immigrant visa. Pursuant to the Visa Bulletin published monthly by the U.S. Department of State, Plaintiff G.E.'s Priority Date is not yet current as reflected in Chart A, Final Action Dates for Family-Sponsored Preference Cases, of the April 2017 Visa Bulletin. *See* Ex. I at 2. However, Chart B, Dates for Filing Family-Sponsored Visa Applications, reflects G.E. has a Priority Date earlier than the application date and that he was eligible to submit required documents to the National Visa Center, following receipt of notification from the National Visa Center. *See id* at 3. Chart B indicates the F2A category is at November 22, 2015 (22NOV15), and G.E.'s Priority Date is that of October 19, 2015 (19OCT15). *See id*. The National Visa Center sent notification on July 22, 2016 for the required processing fees (\$120 and \$325) to be paid. Once the fees were paid, the civil documents related to Plaintiff G.E. were e-mailed to nvcelectronic@state.gov on December 2, 2016. Form DS-260, Immigrant Visa Electronic Application, was also completed and electronically submitted on December 2, 2016. *See* Ex. J. On March 9, 2017, a copy of G.E.'s Syrian Judicial Record Extract was emailed to nvcelectronic@state.gov, as requested by the National Visa Center on December 8, 2016.

26. Provided EO2 does not suspend, delay or negatively impact the immigrant visa process, the U.S. Embassy will proceed with adjudicating G.E.'s already submitted immigrant visa application. In my experience, G.E.'s Priority Date should become current in about four months and this will be reflected in Chart A of the Visa Bulletin for that specific month.

Supporting evidence

27. Where the following exhibits include names of minors or confidential information, I have redacted that information.

CHAVEZ DECL. ISO PLS.' MOT.
FOR TRO AND PRELIM. INJ.
Case No. 2:17-cv-00135-JLR

NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Ave., Ste. 400
Seattle, WA 98104
206-957-8611

28. Attached as **Exhibit A** is a true and correct copy of the printout of Plaintiff Issa's Immigrant Visa Application case status via the CEAC of the U.S. Department of State, *available at* <https://ceac.state.gov/ceacstattracker/status.aspx>. Her case was last updated on March 13, 2017. I accessed the database on March 13, 2017, March 14, 2017, and March 15, 2017.

29. Attached as **Exhibit B** is a true and correct copy of a printout of Plaintiff F.I.O.'s Immigrant Visa Application case status via the CEAC of the U.S. Department of State, *available at* <https://ceac.state.gov/ceacstattracker/status.aspx>. Her case was last updated on March 13, 2017. I accessed the database on March 13, 2017, March 14, 2017, and March 15, 2017.

30. Attached as **Exhibit C** is a true and correct copy of a printout of Plaintiff S.I.O.'s Immigrant Visa Application case status via the CEAC of the U.S. Department of State, *available at* <https://ceac.state.gov/ceacstattracker/status.aspx>. His case was last updated on March 13, 2017. I accessed the database on March 13, 2017, March 14, 2017, and March 15, 2017.

31. Attached as **Exhibit D** is a true and correct copy of U.S. Embassy Nairobi Document, dated March 13, 2017, requesting further information and documentation for Plaintiffs Issa, F.O.I., and S.O.I.

32. Attached as **Exhibit E** is a true and correct copy of U.S. Embassy Nairobi Document, dated March 13, 2017, recommending DNA testing.

33. Attached as **Exhibit F** is a true and correct copy of U.S. Department of State information on Visa Denials, *available at* <https://travel.state.gov/content/visas/en/general/denials.html>. I accessed the database on March 14, 2017 and March 15, 2017.

34. Attached as **Exhibit G** is a true and correct copy of UPS Delivery Receipt regarding A.F.A.'s civil document submission to the National Visa Center, delivered on January 27, 2017. I accessed the database on March 14, 2017.

35. Attached as **Exhibit H** is a true and correct copy of Form DS-260 Confirmation Page relating to A.F.A.'s submitted Immigrant Visa Application. I accessed the database on January 20, 2017.

36. Attached as **Exhibit I** is a true and correct copy of U.S. Department of State's Visa Bulletin for April 2017, *available at* <https://travel.state.gov/content/visas/en/law-and-policy/bulletin/2017/visa-bulletin-for-april-2017.html>. I accessed the database on March 15, 2017.

37. Attached as **Exhibit J** is a true and correct copy Form DS-260 Confirmation Page relating to G.E.'s submitted Immigrant Visa Application. I accessed the database on December 2, 2016.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed on this 15th day of March, 2017, in Seattle, Washington.

By:

s/ Maria Lucia Chavez
Maria Lucia Chavez, WSBA No. 43826
Northwest Immigrant Rights Project
615 Second Avenue, Suite 400
Seattle, WA 98104
(206) 957-8611
(206) 587-4025 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record for all Defendants.

Executed in Seattle, Washington, on March 15, 2017.

s/ Glenda Aldana

Glenda M. Aldana Madrid, WSBA No. 46987
Northwest Immigrant Rights Project
615 Second Avenue, Suite 400
Seattle, WA 98104
(206) 957-8646
(206) 587-4025 (fax)

EXHIBIT A

3/13/2017

CEAC

U.S. Department of State
IMMIGRANT VISA APPLICATION

Administrative Processing

Immigrant Visa Case Number: **NRB**  **NRB**
 Case Created: 19-Aug-2015
 Case Last Updated: 13-Mar-2017

Your visa case is currently undergoing necessary administrative processing. This processing can take several weeks. Please follow any instructions provided by the Consular Officer at the time of your interview. If further information is needed, you will be contacted. If your visa application is approved, it will be processed and mailed/available within two business days. Under the U.S. Immigration and Nationality Act, Immigrant Visas for "Diversity Visas" cannot be issued after September 30th of the year in which you were selected to apply for a Diversity Visa. For example, entrants into the Diversity Visa Program in Fall of 2011 were selected for Diversity Visa 2012 Program, and selectees MUST apply and receive their visa prior to September 30, 2012 otherwise they lose eligibility to receive a Diversity Immigrant Visa, regardless of additional administrative processing. In addition, please note that some immigrant visas may not be able to be issued if the annual numerical limit for that category has been reached. For more information, please visit TRAVEL.STATE.GOV.

EXHIBIT B

3/13/2017

CEAC

U.S. Department of State
IMMIGRANT VISA APPLICATION

Ready

Immigrant Visa Case Number: **NRB** [REDACTED] **NRB**

Case Created: 19-Aug-2015

Case Last Updated: 13-Mar-2017

Your case is ready for your interview when scheduled at the U.S. Consular section. If you have already scheduled an appointment for an interview, please prepare your documents as directed in your appointment letter and appear at the consulate on the appointed date and time. Otherwise, please wait until you have been notified of your interview appointment. Additional information about how Immigrant Visa interview appointments are scheduled can be found at: <http://nvc.state.gov/interview>

For more information, please visit TRAVEL.STATE.GOV.

EXHIBIT C

3/13/2017

CEAC

U.S. Department of State
IMMIGRANT VISA APPLICATION

Ready

Immigrant Visa Case Number: **NRB** [REDACTED] **NRB**
Case Created: 19-Aug-2015
Case Last Updated: 13-Mar-2017

Your case is ready for your interview when scheduled at the U.S. Consular section. If you have already scheduled an appointment for an interview, please prepare your documents as directed in your appointment letter and appear at the consulate on the appointed date and time. Otherwise, please wait until you have been notified of your interview appointment. Additional information about how Immigrant Visa interview appointments are scheduled can be found at: <http://nyc.state.gov/interview>
For more information, please visit TRAVEL.STATE.GOV.

EXHIBIT D



U.S. Embassy Nairobi- Immigrant Visa Unit

Date: 13 MAR 2017

Visa Class: _____

Issa, Faduma Olad
 (LAST NAME)

CASE # _____

Your visa application has been refused under Section 221(g) of the Immigration and Nationality Act. For your case to be reviewed and considered further by an officer, **please gather and submit all of the requested documents together.** You may do so via DHL using the below instructions. Alternatively, you may attend Embassy walk-in hours on Thursdays from 1pm to 3pm.

Failure to bring photo identification, the yellow 221(g) refusal sheet, and ALL missing documents marked on the 221(g) sheet will result in a denial of entry into the Embassy during walk-in hours.

If you submit only part of the documents requested, your case will not be reviewed until all other documents have been received. Not complying with these directions will result in delays in processing your case.

- ☐ Original Version of the: Affidavit of Birth witnessed by two people (from a notary or lawyer)/ Birth Certificate/ Marriage Certificate/ Death Certificate/ Divorce Certificate/ Consular Report of Birth Abroad (CRBA)

Note: Documents in any language other than English must be accompanied by a certified English translation.

- ☒ Police Certificate from Kenya for Faduma

- ☐ 2' x 2' Passport-Sized Photographs on White Background. Please send this many: _____

- ☒ Affidavit of Support from Petitioner and/or Joint Sponsor (Form I-864 or Form I-134).

- ☒ An IRS-generated transcript of the tax return from the previous year attainable at www.irs.gov/Individuals/Get-Transcript must accompany each Affidavit of Support. Joint-sponsors should include a copy of their passport or legal permanent resident card.

*Olad Issa Omer
2015 or 2016*

- ☐ Parental Consent for International Travel from _____

- ☐ Additional Evidence of Relationship Between _____ and _____, such as:

- ☐ Photographs of the petitioner and beneficiary together, on different occasions, over a period of time (please indicate who is in each photo).
- ☐ Emails, Facebook chats, Whatsapp chats, SMS text message history
- ☐ School, hospital, or baptismal records
- ☐ Birth records of common children born between the petitioner and beneficiary
- ☐ If a stepchild case: You must show the relationship between the petitioner and the beneficiary's biological parent AND between the biological parent and the beneficiary. To prove joint residency between a stepparent and the beneficiary's parent, you can submit copies of driver's licenses for both, joint bank documents, and/or rent, lease or mortgage documents to show that both share a common residence. If applicable, submit birth certificates for any common children between the stepparent and beneficiary's parent.

- ☐ DNA Results (Recommended). Please see accompanying instructions sheet for how to begin the process.

- ☐ Identity Documents From Before _____. Examples include, but are not limited to, school records, medical records, family governmental records, children's birth certificates, travel documents, official receipts for purchases or rental agreements, prior refugee applications, and official appointment letters.

- ☒ Other: Power of Attorney for S. _____ - Faduma to represent

Last revised Jan 2017.

EXHIBIT E

DNA TEST PROCESS

Embassy of the United States of America

P.O. Box 606, Village Market

00621 Nairobi

Date: 13 MAR 2017Visa Class: IR2 x 3

Case Number: _____

Issa

(LAST NAME, First)

Dear Visa Applicant:

Your immigrant visa has been refused under Section 221(G) of the Immigrant and Nationality Act because you have been unable to demonstrate that you have a bona fide relationship to the immigrant visa petitioner. Given these circumstances, DNA testing is recommended in order to establish the validity of the required relationship. This testing is entirely voluntary. Submitting to the testing does not automatically guarantee the subsequent issuance of an immigrant visa.

☒ DNA testing is recommended between the following Petitioners and Beneficiaries:

☒ FATHER Olad Issa Omar

☐ MOTHER _____

☒ CHILD Fadumo Olad Issa

☒ CHILD [REDACTED] O [REDACTED] I [REDACTED]

☒ CHILD S [REDACTED] O [REDACTED] I [REDACTED]

☐ CHILD _____

☐ CHILD _____

PLEASE SEE REVERSE FOR COMPLETE AND DETAILED INSTRUCTIONS

*Warning: If you fail to take the action requested within one year after visa denial under Section 221(G), Section 203(G) of the Act requires that your application be cancelled. For Diversity Visa applicants, each year the program ends on September 30th and visas may not be issued later than that date.

Questions? <http://nairobi.usembassy.gov> • ImmigrationVisaNairobi@state.gov

EXHIBIT F

Important Notice



Executive Order on Visas - Important Announcement

travel.state.govU.S. Passports &
International Travel

Students Abroad

U.S. Visa

Intercountry Adoption

International Parental
Child Abduction

Contact Us

Find U.S. Embassies
& Consulates

SEARCH

Set Location

Set Nationality

travel.state.gov > [Visas](#) > **Visa Denials**[Print](#) [Email](#)

Visa Denials

U.S. law generally requires visa applicants to be interviewed by a consular officer at a U.S. Embassy or Consulate. After relevant information is reviewed, the application is approved or denied, based on standards established in U.S. law.

While the vast majority of visa applications are approved, U.S. law sets out many standards under which a visa application may be denied. An application may be denied because the consular officer does not have all of the information required to determine if the applicant is eligible to receive a visa, because the applicant does not qualify for the visa category for which he or she applied, or because the information reviewed indicates the applicant falls within the scope of one of the inadmissibility or ineligibility grounds of the law. An applicant's current and/or past actions, such as drug or criminal activities, as examples, may make the applicant ineligible for a visa.

If denied a visa, in most cases the applicant is notified of the section of law which applies. Visa applicants are also advised by the consular officer if they may apply for a waiver of their ineligibility. Several of the most common reasons for visa ineligibilities are explained below. For more information, review the [visa ineligibilities](#) in the Immigration and Nationality Act (INA).

[Collapse All](#)

How does a visa applicant qualify for a visa?

You, as a visa applicant, qualify for a visa by being eligible under all applicable U.S. laws for the visa category for which you are applying. During your visa interview, the consular officer at the U.S. Embassy or Consulate will determine if you are qualified for the type of visa for which you are applying.

The sole authority to approve or deny (called adjudicate) visa applications, under U.S. immigration law [section 104\(a\) of the Immigration and Nationality Act](#) , is given to consular officers at U.S. Embassies and Consulates.

What does being found ineligible mean?

If a consular officer finds you are not eligible to receive a visa under U.S. law, your visa application will be denied (refused), and you will be provided a reason for the denial. There are many reasons a visa applicant could be found ineligible for a visa. These reasons, called ineligibilities, are listed in the Immigration and Nationality Act (INA) and other immigration laws. Some ineligibilities can be overcome, either by you, the visa applicant, or the U.S. petitioner, in certain immigrant visa cases. Other ineligibilities are permanent. This means that every time you apply for a visa, you will be found ineligible under the same section of law, unless a waiver of that ineligibility is authorized by the Department of Homeland Security. Learn about [waivers of ineligibility](#).

Here are some examples of visa ineligibilities, with INA references, which are explained further below.

The visa applicant:

- Did not fully complete the visa application and/or provide all required supporting documentation - INA section 221(g)
- Did not establish eligibility for the visa category being applied for or overcome the presumption of being an intending immigrant - INA section 214(b)
- Was convicted of a crime involving moral turpitude - INA section 212(a)(2)(A)(i)(I)
- Was convicted of a drug violation - INA section 212(a)(2)(A)(i)(II)
- Has two or more criminal convictions for which the total sentence of confinement was 5 years or more - INA section 212(a)(2)(B)
- Did not demonstrate proof of adequate financial support in the United States; therefore denied under public charge - INA section 212(a)(4)
- Misrepresented a material fact or committed fraud to attempt to receive a visa - INA section 212(a)(6)(C)(i)
- Previously remained longer than authorized in the United States - INA section 212(a)(9)(B)(i)

For a complete list of all visa ineligibilities contained in the Immigration and Nationality Act, see [Ineligibilities and Waivers: Laws](#).

I was found ineligible for a visa. Can I get my money back?

No. The fee that you paid is a non-refundable application processing fee.

Can I reapply for a visa?

After being found ineligible for a visa, you may reapply in the future. If you reapply for a visa after being found ineligible, with the exception of 221(g) refusals, you must submit a new visa application and pay the visa application fee again. If you were found ineligible under section 214(b) of the INA, you should be able to present evidence of significant changes in circumstances since your last application. See more information below under [INA section 214\(b\)](#).

Can a friend or relative inquire about my denied visa application?

Department of State visa case records are confidential under INA section 222(f), so information can only be provided to visa applicants, with some exceptions. Certain information can be provided to U.S. sponsors, attorneys representing visa applicants, members of Congress, or other persons acting on behalf of and with the permission of applicants.

INA Section 221(g) - Incomplete Application or Supporting Documentation

What does a visa denial under INA section 221(g) mean?

A visa denial under section [221\(g\) of the INA](#) means that the consular officer did not have all of the information required to determine if you are eligible to receive a visa. This means you are not eligible for the visa now, but your case is pending further action for one of the following reasons:

- **Your application is incomplete and/or further documentation is required** - Applicants whose application forms or other documentation are incomplete are refused. If further documents are required to complete your case, you will be informed what is needed and how to provide it to the embassy or consulate. You will also be given a letter stating your application has been denied under 221(g) and listing which documents you need to provide.
- **Administrative processing** - Further administrative processing of your application is required before a decision can be made regarding your eligibility for a visa. You will be given a letter stating this and next-step instructions after the administrative processing is complete.

Is there something I can do about a refusal under section 221(g)?

If your application was denied because documentation or information is missing, you can provide the missing documents or information as soon as possible. After submitting the documentation, your visa application can then be processed to conclusion to determine whether you qualify for a visa. You have one year from the date you were refused a visa to submit the additional information. Otherwise, if you do not provide the required additional information within one year, you must reapply for the visa and pay another application fee.

If your application requires further administrative processing, this takes additional time after your interview. Processing times can vary based on individual circumstances. For more information, review [Administrative Processing](#).

INA Section 214(b) - Visa Qualifications and Immigrant Intent**What does a visa denial under INA section 214(b) mean?**

This law applies only to nonimmigrant visa categories. If you are refused a visa under [section 214\(b\)](#), it means that you:

- Did not sufficiently demonstrate to the consular officer that you qualify for the nonimmigrant visa category you applied for; and/or
- Did not overcome the presumption of immigrant intent, required by law, by sufficiently demonstrating that you have strong ties to your home country that will compel you to leave the United States at the end of your temporary stay. (H-1B and L visa applicants, along with their spouse and any minor children, are excluded from this requirement.)

What are considered strong ties to my home country?

Ties are the various aspects of your life that bind you to your home country. Strong ties vary from country to country, city to city, and person to person, but examples include:

- Your job;
- Your home; and/or
- Your relationships with family and friends.

While conducting visa interviews, consular officers look at each application individually and consider the applicant's circumstances, travel plans, financial resources, and ties outside of the United States that will ensure the applicant's departure after a temporary visit.

Is a refusal under section 214(b) permanent?

No. A refusal, or ineligibility, under section 214(b) is for that specific application, so once a case is closed, the consular section cannot take any further action. There is no appeal process. If you feel there is additional information that should be considered related to the visa decision, or there are significant changes in your circumstances since your last application, you may reapply for a visa. To reapply, you must complete a new application form, pay the application fee, and schedule an appointment for a new interview. Review the [website of the U.S. Embassy or Consulate](#) where you plan to reapply to learn about any reapplication procedures.

INA Section 212(a)(4) - Public Charge

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Why was I refused under INA section 212(a)(4)? What is meant by "public charge"?

Visa applicants need to satisfy this provision of law by demonstrating proof of adequate financial support in the United States. A visa refusal, or ineligibility, under section [212\(a\)\(4\) of the INA](#) means that the consular officer determined that you are likely to become a public charge in the United States. Public charge means that the consular officer determined that you are likely to become primarily dependent on the U.S. government for your existence and financial support in the United States.

Is a refusal under section 212(a)(4) permanent?

A refusal, or ineligibility, under section 212(a)(4) can be overcome in certain circumstances, as explained below.

Immigrants - Most immigrant visa applicants are required to submit an Affidavit of Support (Form I-864, I-864A, I-864W, or I-864EZ, as applicable) from the U.S. sponsors who filed petitions for them. If your U.S. sponsor does not meet the requirements of the Affidavit of Support, you may present a second Affidavit of Support from a qualifying joint sponsor. Learn more about the [Affidavit of Support](#).

Some categories of immigrant visa applicants are not required to have Affidavits of Support. These are categories where no U.S. citizen or lawful permanent resident relative filed a petition on your behalf, including most employment-based immigrants and diversity visa (DV) applicants.

If you are applying for an immigrant visa category where the Affidavit of Support Form is not required, the following are examples of how you could demonstrate to the consular officer that you will have financial support in the United States:

- Your own personal funds;
- A job offer in the United States; and/or
- Sponsorship from a U.S. resident.

Examples of sponsorship from a U.S. resident include:

- A letter from the U.S. resident stating financial support of you while in the United States;
- Documents showing that the U.S. resident can financially support you, such as bank statements or pay stubs; and/or
- An Affidavit of Support (Form I-134).

The consular officer will review the additional evidence of financial support you submit to determine whether it is sufficient to overcome your ineligibility under section 212(a)(4).

Nonimmigrants - You must demonstrate sufficient financial support during your temporary stay in the United States. Public charge denials are less frequent for nonimmigrant visa applications, but can occur, for example, in the case of a visa applicant seeking medical treatment in the United States without adequate funds to pay for treatment. Learn more about applying for a visitor visa for [medical treatment](#).

In order to overcome a denial for public charge reasons, you must demonstrate you will have sufficient financial support in the United States. The consular officer will review the additional evidence you submit to determine whether it is sufficient to overcome your ineligibility under section 212(a)(4).

INA Section 212(a)(6)(C)(i) - Fraud and Misrepresentation**What does a denial under INA section 212(a)(6)(C)(i) mean?**

You were refused, or found ineligible, for a visa under [section 212\(a\)\(6\)\(C\)\(i\)](#) because you attempted to receive a visa or enter the United States by willfully misrepresenting a material fact or committing fraud. This is a permanent ineligibility, so every time you apply for a visa, you will be found ineligible for this reason.

You will be advised by the consular officer if you can apply for a waiver of this ineligibility. Review [Waivers of Ineligibility](#) for more information.

What is meant by misrepresentation of a material fact?

Misrepresentation means that you falsely presented facts and were not truthful in an attempt to receive a visa or enter the United States. A fact is considered material, as it pertains to this section of the INA, when, had the truth been known, you would not have been eligible to receive a visa or enter the United States.

What does a denial under INA section 212(a)(9)(B)(i) mean?

You were refused, or found ineligible for, a visa under [section 212\(a\)\(9\)\(B\)\(i\)](#) because you were considered to have been unlawfully present in the United States, if:

- You stayed in the United States after the expiration date for the period of stay authorized by the Department of Homeland Security (DHS), Customs and Border Protection (CBP) for you, without the required authorization to extend your stay; or
- You entered and were present in the United States without receiving the required authorization from CBP.

When denied a visa for unlawful presence, you are ineligible for a visa for the following length of time:

- When unlawfully present in the United States for 180 days or longer but less than one year, you are ineligible for a visa for 3 years after departure from the United States; or
- When unlawfully present in the United States for one year or longer, you are ineligible for a visa for 10 years after departure from the United States.

You will be advised by the consular officer if you can apply for a waiver of this ineligibility. Review [Waivers of Ineligibility](#) for more information.

List of Ineligibilities

This webpage discusses some of the more common visa ineligibilities. For a complete list of visa ineligibilities and more information from the Immigration and Nationality Act (INA), and amended laws, review [Ineligibilities and Waivers: Laws](#) on this site.

Waivers of Ineligibility**What is a waiver?**

The Immigration and Nationality Act (INA) contains provisions that may allow a visa applicant who was denied a visa for a particular ineligibility to apply for a waiver of that ineligibility. The Department of Homeland Security (DHS) adjudicates all waivers of ineligibility. Waivers are discretionary, meaning that there are no guarantees that DHS will approve a waiver for you. If the waiver is approved, you may be issued a visa.

Can every applicant who is ineligible apply for a waiver?

No. If you are found ineligible for a visa, the consular officer will inform you if can apply for a waiver of ineligibility. The following factors will determine if you may apply for a waiver:

- Whether a waiver of ineligibility is available for the particular section of law you are ineligible under;
- You must be fully qualified for the visa you applied for, except for that specific ineligibility, in order to be able to apply for the waiver;
- If you are applying for a nonimmigrant visa, generally whether the consular officer who found you ineligible recommends to DHS that you receive a waiver; and
- If you are applying for an immigrant visa, whether a waiver is available for your particular situation. (For example, for certain visa ineligibilities when applying for an immigrant visa, you can only apply for a waiver if you have a U.S. citizen or lawful permanent resident spouse or parent who would endure extreme hardship if you were not able to immigrate.)

How do I apply for a waiver?

If you can apply for a waiver, the consular officer at the U.S. Embassy or Consulate where you applied will inform you how to apply.

Immigrant Visa and K Nonimmigrant Visa Applicants - If you can apply for a waiver, you must mail [Form I-601](#), Application for Waiver of Grounds of Inadmissibility, directly to a U.S. Citizenship and Immigration Services (USCIS) Lockbox facility, with few exceptions. Learn more on the [USCIS](#) website.

Further Questions

I was found ineligible for a visa, and I have further questions. Who should I contact?

You should contact the [U.S. Embassy or Consulate](#) where you applied.

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FOR TRO AND PRELIM. INJ.

Case No. 2:17-cv-00135-JLR

NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Avenue, Suite 400
Seattle, WA 98104
206-957-8611

More Information

- [A-Z Index](#)
- [Latest News](#)
- [What is a U.S. Visa?](#)
- [Diversity Visa Program](#)
- [Visa Waiver Program](#)
- [Fraud Warning](#)
- [Find a U.S. Embassy or Consulate](#)
- [Straight Facts on U.S. Visas](#)

In the United States

- [VisitTheUSA](#)



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EXHIBIT G

**Proof of Delivery**[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number:	1ZF [REDACTED]
Service:	UPS Ground
Weight:	1.00 lb
Shipped/Billed On:	01/20/2017
Delivered On:	01/27/2017 9:56 A.M.
Delivered To:	PORTSMOUTH, NH, US
Received By:	THIBIDEAU
Left At:	Inside Delivery

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 03/14/2017 8:34 P.M. ET

[Print This Page](#)[Close Window](#)

EXHIBIT H



Online Immigrant Visa and Alien Registration Application (DS-260)

Immigrant Visa and Alien Registration Application Confirmation

Thank You

You have successfully submitted an Immigrant Visa and Alien Registration Application (Form DS-260). You must bring to your visa interview proof that you submitted this form by printing a confirmation page using the below button. Do not print a copy of this screen; use the below PRINT CONFIRMATION button to print a page with a unique barcode related to your visa application. You can print a confirmation from this website at any time.

Next Step

Your Immigrant Visa and Alien Registration Application (Form DS-260) was sent to the National Visa Center (NVC) for review. **However, NVC will not review your Form DS-260 until they have received the required financial and civil documents that you must also submit.** If you have not sent NVC those items, please do so now. Visit <http://nvc.state.gov> (English) or <http://nvc.state.gov/espanol> (Spanish) and review Steps 4-6 for instructions.

When NVC has your DS-260, financial documents, **and** civil documents, they will review these items. Please allow 30 days for NVC to complete their review. If the documents you submit are insufficient or incomplete, NVC will send Instructions on how to correct your submission. **NVC cannot schedule your visa interview until your supporting documentation is complete.**

Your Visa Interview

Once you have a visa interview appointment, you need to:

1. Obtain and submit photographs that meet the Department of State's visa requirements.
2. Review the information for the U.S. Embassy where your visa interview will occur.

Please use the buttons below for information on these items as well as instructions for submitting documents to NVC.

During the interview with a consular officer, you will be required to sign your application by providing a "biometric signature" – in other words, your fingerprints. By providing this biometric signature, you are certifying under penalty of perjury that you have read and understood the questions in your immigrant visa application. You are also certifying that all statements that appear in your immigrant visa application have been made by you and are true and complete to the best of your knowledge and belief. At the time of your interview, you will also be required to certify under penalty of perjury that all statements in your application and those made during your interview are true and complete to the best of your knowledge and belief.

This confirms the submission of the Immigrant Visa and Alien Registration application for:

Name Provided:	A [REDACTED], A [REDACTED] F [REDACTED]
Country/Region of Origin (Nationality):	SOMALIA
Completed On:	20 JAN 2017
Case No:	NRB [REDACTED]
Confirmation No:	AA [REDACTED]



NRB [REDACTED]



AA [REDACTED]

THIS IS NOT A VISA

Version 01.01.00

EXHIBIT I



*United States Department of State
Bureau of Consular Affairs*

VISA BULLETIN

Number 4 Volume X

Washington, D.C.

IMMIGRANT NUMBERS FOR APRIL 2017

A. STATUTORY NUMBERS

This bulletin summarizes the availability of immigrant numbers during April for: "Final Action Dates" and "Dates for Filing Applications," indicating when immigrant visa applicants should be notified to assemble and submit required documentation to the National Visa Center.

Unless otherwise indicated on the U.S. Citizenship and Immigration Services (USCIS) website at www.uscis.gov/visabulletininfo, individuals seeking to file applications for adjustment of status with USCIS in the Department of Homeland Security must use the "Final Action Dates" charts below for determining when they can file such applications. When USCIS determines that there are more immigrant visas available for the fiscal year than there are known applicants for such visas, USCIS will state on its website that applicants may instead use the "Dates for Filing Visa Applications" charts in this Bulletin.

1. Procedures for determining dates. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; USCIS reports applicants for adjustment of status. Allocations in the charts below were made, to the extent possible, in chronological order of reported priority dates, for demand received by March 9th. If not all demand could be satisfied, the category or foreign state in which demand was excessive was deemed oversubscribed. The final action date for an oversubscribed category is the priority date of the first applicant who could not be reached within the numerical limits. If it becomes necessary during the monthly allocation process to retrogress a final action date, supplemental requests for numbers will be honored only if the priority date falls within the new final action date announced in this bulletin. If at any time an annual limit were reached, it would be necessary to immediately make the preference category "unavailable", and no further requests for numbers would be honored.

2. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000. The worldwide level for annual employment-based preference immigrants is at least 140,000. Section 202 prescribes that the per-country limit for preference immigrants is set at 7% of the total annual family-sponsored and employment-based preference limits, i.e., 25,620. The dependent area limit is set at 2%, or 7,320.

3. INA Section 203(e) provides that family-sponsored and employment-based preference visas be issued to eligible immigrants in the order in which a petition in behalf of each has been filed. Section 203(d) provides that spouses and children of preference immigrants are entitled to the same status, and the same order of consideration, if accompanying or following to join the principal. The visa prorating provisions of Section 202(e) apply to allocations for a foreign state or dependent area when visa demand exceeds the per-country limit. These provisions apply at present to the following oversubscribed chargeability areas:

CHINA-mainland born, EL SALVADOR, GUATEMALA, HONDURAS, INDIA, MEXICO, PHILIPPINES.

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FOR TRO AND PRELIM. INJ.

Case No. 2:17-cv-00135-JLR

NORTHWEST IMMIGRANT RIGHTS PROJECT

615 Second Avenue, Suite 400

Seattle, WA 98104

206-957-8611

4. Section 203(a) of the INA prescribes preference classes for allotment of Family-sponsored immigrant visas as follows:

FAMILY-SPONSORED PREFERENCES

First: (F1) Unmarried Sons and Daughters of U.S. Citizens: 23,400 plus any numbers not required for fourth preference.

Second: Spouses and Children, and Unmarried Sons and Daughters of Permanent Residents: 114,200, plus the number (if any) by which the worldwide family preference level exceeds 226,000, plus any unused first preference numbers:

A. (F2A) Spouses and Children of Permanent Residents: 77% of the overall second preference limitation, of which 75% are exempt from the per-country limit;

B. (F2B) Unmarried Sons and Daughters (21 years of age or older) of Permanent Residents: 23% of the overall second preference limitation.

Third: (F3) Married Sons and Daughters of U.S. Citizens: 23,400, plus any numbers not required by first and second preferences.

Fourth: (F4) Brothers and Sisters of Adult U.S. Citizens: 65,000, plus any numbers not required by first three preferences.

A. FINAL ACTION DATES FOR FAMILY-SPONSORED PREFERENCE CASES

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are authorized for issuance to all qualified applicants; and "U" means unauthorized, i.e., numbers are not authorized for issuance. (NOTE: Numbers are authorized for issuance only for applicants whose priority date is **earlier** than the final action date listed below.)

<u>Family-Sponsored</u>	All Charge-ability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	15OCT10	15OCT10	15OCT10	22MAY95	15JAN06
F2A	08JUN15	08JUN15	08JUN15	22MAY15	08JUN15
F2B	15SEP10	15SEP10	15SEP10	22DEC95	15JUN06
F3	15MAY05	15MAY05	15MAY05	08JAN95	15SEP94
F4	08MAY04	08MAY04	15AUG03	15JUN97	08SEP93

*NOTE: For April, F2A numbers EXEMPT from per-country limit are authorized for issuance to applicants from all countries with priority dates earlier than 22MAY15. F2A numbers SUBJECT to per-country limit are authorized for issuance to applicants chargeable to all countries EXCEPT MEXICO with priority dates beginning 22MAY15 and earlier than 08JUN15. All F2A numbers provided for MEXICO are exempt from the per-country limit.

B. DATES FOR FILING FAMILY-SPONSORED VISA APPLICATIONS

The chart below reflects dates for filing visa applications within a timeframe justifying immediate action in the application process. Applicants for immigrant visas who have a priority date earlier than the application date in the chart below may assemble and submit required documents to the Department of State's National Visa Center, following receipt of notification from the National Visa Center containing detailed instructions. The application date for an oversubscribed category is the priority date of the first applicant who cannot submit documentation to the National Visa Center for an immigrant visa. If a category is designated "current," all applicants in the relevant category may file applications, regardless of priority date.

The "C" listing indicates that the category is current, and that applications may be filed regardless of the applicant's priority date. The listing of a date for any category indicates that only applicants with a priority date which is **earlier** than the listed date may file their application.

Visit www.uscis.gov/visabulletininfo for information on whether USCIS has determined that this chart can be used (in lieu of the chart in paragraph 4.A.) this month for filing applications for adjustment of status with USCIS.

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01JAN11	01JAN11	01JAN11	01JUN95	01MAY06
F2A	22NOV15	22NOV15	22NOV15	22NOV15	22NOV15
F2B	08FEB11	08FEB11	08FEB11	01JUN96	01FEB07
F3	22AUG05	22AUG05	22AUG05	01MAY95	01JAN95
F4	01JUL04	01JUL04	01MAY04	01DEC97	01APR94

5. Section 203(b) of the INA prescribes preference classes for allotment of Employment-based immigrant visas as follows:

EMPLOYMENT-BASED PREFERENCES

First: Priority Workers: 28.6% of the worldwide employment-based preference level, plus any numbers not required for fourth and fifth preferences.

Second: Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability: 28.6% of the worldwide employment-based preference level, plus any numbers not required by first preference.

Third: Skilled Workers, Professionals, and Other Workers: 28.6% of the worldwide level, plus any numbers not required by first and second preferences, not more than 10,000 of which to "*Other Workers".

Fourth: Certain Special Immigrants: 7.1% of the worldwide level.

Fifth: Employment Creation: 7.1% of the worldwide level, not less than 3,000 of which reserved for investors in a targeted rural or high-unemployment area, and 3,000 set aside for investors in regional centers by Sec. 610 of Pub. L. 102-395.

A. FINAL ACTION DATES FOR EMPLOYMENT-BASED PREFERENCE CASES

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are authorized for issuance to all qualified applicants; and "U" means unauthorized, i.e., numbers are not authorized for issuance. (NOTE: Numbers are authorized for issuance only for applicants whose priority date is **earlier** than the final action date listed below.)

<u>Employment- Based</u>	All Charge- ability Areas Except Those Listed	CHINA- mainland born	EL SALVADOR GUATEMALA HONDURAS	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C	C
2nd	C	15JAN13	C	22JUN08	C	C
3rd	15FEB17	15AUG14	15FEB17	24MAR05	15FEB17	15SEP12
Other Workers	15FEB17	01MAR06	15FEB17	24MAR05	15FEB17	15SEP12
4th	C	C	15JUL15	C	15JUL15	C
Certain Religious Workers	C	C	15JUL15	C	15JUL15	C
5th Non-Regional Center (C5 and T5)	C	22MAY14	C	C	C	C
5th Regional Center (I5 and R5)	C	22MAY14	C	C	C	C

*Employment Third Preference Other Workers Category: Section 203(e) of the Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997, as amended by Section 1(e) of Pub. L. 105-139, provides that once the Employment Third Preference Other Worker (EW) cut-off date has reached the priority date of the latest EW petition approved prior to November 19, 1997, the 10,000 EW numbers available for a fiscal year are to be reduced by up to 5,000 annually beginning in the following fiscal year. This reduction is to be made for as long as necessary to offset adjustments under the NACARA program. Since the EW cut-off date reached November 19, 1997 during Fiscal Year 2001, the reduction in the EW annual limit to 5,000 began in Fiscal Year 2002.

B. DATES FOR FILING OF EMPLOYMENT-BASED VISA APPLICATIONS

The chart below reflects dates for filing visa applications within a timeframe justifying immediate action in the application process. Applicants for immigrant visas who have a priority date earlier than the application date in the chart may assemble and submit required documents to the Department of State's National Visa Center, following receipt of notification from the National Visa Center containing detailed instructions. The application date for an oversubscribed category is the priority date of the first applicant who cannot submit documentation to the National Visa Center for an immigrant visa. If a category is designated "current," all applicants in the relevant category may file, regardless of priority date.

The "C" listing indicates that the category is current, and that applications may be filed regardless of the applicant's priority date. The listing of a date for any category indicates that only applicants with a priority date which is **earlier** than the listed date may file their application.

Visit www.uscis.gov/visabulletininfo for information on whether USCIS has determined that this chart can be used (in lieu of the chart in paragraph 5.A.) this month for filing applications for adjustment of status with USCIS.

Employment-Based	All Chargeability Areas Except Those Listed	CHINA - mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	01MAR13	22APR09	C	C
3rd	C	01MAY14	01JUL05	C	01SEP13
Other Workers	C	01AUG09	01JUL05	C	01SEP13
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5 th Non-Regional Center (C5 and T5)	C	15JUN14	C	C	C
5 th Regional Center (I5 and R5)	C	15JUN14	C	C	C

6. The Department of State has a recorded message with the cut-off date information for Final Application Action which can be heard at: (202) 485-7699. This recording is updated on or about the tenth of each month with information on final action dates for the following month.

B. DIVERSITY IMMIGRANT (DV) CATEGORY FOR THE MONTH OF APRIL

Section 203(c) of the INA provides up to 55,000 immigrant visas each fiscal year to permit additional immigration opportunities for persons from countries with low admissions during the previous five years. The NACARA stipulates that beginning with DV-99, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated diversity visas will be made available for use under the NACARA program. **This resulted in reduction of the DV-2017 annual limit to 50,000.** DV visas are divided among six geographic regions. No one country can receive more than seven percent of the available diversity visas in any one year.

For April, immigrant numbers in the DV category are available to qualified DV-2017 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

Region	All DV Chargeability Areas Except Those Listed Separately		
AFRICA	34,900	Except: Egypt	21,800
		Ethiopia	24,500
ASIA	5,500	Except: Iran	5,300
		Nepal	4,575
EUROPE	22,100		
NORTH AMERICA (BAHAMAS)	10		
OCEANIA	850		
SOUTH AMERICA, and the CARIBBEAN	900		

Entitlement to immigrant status in the DV category lasts only through the end of the fiscal (visa) year for which the applicant is selected in the lottery. The year of entitlement for all applicants registered for the DV-2017 program ends as of September 30, 2017. DV visas may not be issued to DV-2017 applicants after that date. Similarly, spouses and children accompanying or following to join DV-2017 principals are only entitled to derivative DV status until September 30, 2017. DV visa availability through the very end of FY-2017 cannot be taken for granted. Numbers could be exhausted prior to September 30.

C. THE DIVERSITY (DV) IMMIGRANT CATEGORY RANK CUT-OFFS WHICH WILL APPLY IN MAY

For May, immigrant numbers in the DV category are available to qualified DV-2017 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

All DV Chargeability Areas Except Those Listed Separately			
Region			
AFRICA	Current	Except: Egypt	24,500
		Ethiopia	29,100
ASIA	Current	Except: Iran	6,300
		Nepal	5,300
EUROPE	Current		
NORTH AMERICA (BAHAMAS)	Current		
OCEANIA	Current		
SOUTH AMERICA, and the CARIBBEAN	Current		

D. RAPID MOVEMENT IN WORLDWIDE FAMILY FOURTH PREFERENCE CATEGORY

Despite the forward movement of the final action dates, the level of demand and resulting number use in several Family preferences has been below expectations. This lower than expected demand has resulted in advancement of the April Worldwide Family Fourth Preference date at a pace that covers the period of several months projected in the March Visa Bulletin's "Visa Availability in the Coming Months". This action will allow the overall desired allocation level of number use for and through April to be met. There are signs that demand in the other categories will increase in the coming months, resulting in the higher monthly allocation totals required to allow number use to reach those desired levels. The Fourth Preference date will then be held for a period of time while the anticipated monthly allocation levels in those other preferences increase, without drastically altering overall workload patterns.

E. SCHEDULED EXPIRATION OF TWO EMPLOYMENT VISA CATEGORIES

Employment Fourth Preference Certain Religious Workers (SR):

Pursuant to the continuing resolution signed on December 10, 2016, the non-minister special immigrant program expires on April 28, 2017. No SR visas may be issued overseas, or final action taken on adjustment of status cases, after midnight April 27, 2017. Visas issued prior to this date will only be issued with a validity date of April 27, 2017, and all individuals seeking admission as a non-minister special immigrant must be admitted (repeat, admitted) into the U.S. no later than midnight April 27, 2017.

The final action date for this category has been listed as "Current" for April for all countries except El Salvador, Guatemala, Honduras, and Mexico, which are subject to a July 15, 2015 final action date for April. If there is no legislative action extending this category for FY-2017, the final action date would immediately become "Unavailable" for April for all countries effective April 28, 2017.

Employment Fifth Preference Categories (I5 and R5):

The continuing resolution signed on December 10, 2016 extended this immigrant investor pilot program until April 28, 2017. The I5 and R5 visas may be issued until close of business on April 28, 2017, and may be issued for the full validity period. No I5 or R5 visas may be issued overseas, or final action taken on adjustment of status cases, after April 28, 2017.

The final action dates for the I5 and R5 categories have been listed as "Current" for April for all countries except China-mainland born, which is subject to a May 22, 2014 final action date. If there is no legislative action extending them for FY-2017, the final action dates would immediately become "Unavailable" for April for all countries effective April 29, 2017.

F. SPECIAL IMMIGRANT VISA AVAILABILITY

The Department expects to exhaust the Special Immigrant Visas allocated by Congress under the Afghan Allies Protection Act of 2009, as amended, not later than June 1, 2017. As a result, the Final Action Date for the SQ category for certain Afghan nationals employed by or on behalf of the U.S. government in Afghanistan will become "Unavailable" effective June 2017. No further interviews for Afghan principal applicants in the SQ category will be scheduled after March 1, 2017, and further issuances will not be possible after May 30, 2017.

The SQ category for certain Iraqi nationals employed by or on behalf of the U.S. government in Iraq is not affected and remains current, though the application deadline was September 30, 2014.

The FY-2017 annual limit of 50 Special Immigrant Visas in the SI category was reached in December 2016 and the Final Action Date remains "Unavailable." As included in the January 2017 Visa Bulletin, further issuances in the SI category will not be possible until October 2017, under the FY-2018 annual limit.

G. OBTAINING THE MONTHLY VISA BULLETIN

The Department of State's Bureau of Consular Affairs publishes the monthly Visa Bulletin on their website at www.travel.state.gov under the Visas section. Alternatively, visitors may access the Visa Bulletin directly by going to:

<http://www.travel.state.gov/content/visas/english/law-and-policy/bulletin.html>.

To be placed on the Department of State's E-mail subscription list for the "Visa Bulletin", please send an E-mail to the following E-mail address:

listserv@calist.state.gov

and in the message body type:

Subscribe Visa-Bulletin

(example: Subscribe Visa-Bulletin)

To be removed from the Department of State's E-mail subscription list for the "Visa Bulletin", send an e-mail message to the following E-mail address:

listserv@calist.state.gov

and in the message body type: **Signoff Visa-Bulletin**

The Department of State also has available a recorded message with visa final action dates which can be heard at: **(202) 485-7699**. The recording is normally updated on/about the 10th of each month with information on final action dates for the following month.

Readers may submit questions regarding Visa Bulletin related items by E-mail at the following address:

VISABULLETIN@STATE.GOV

(This address cannot be used to subscribe to the Visa Bulletin.)

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CA/VO: March 9, 2017

EXHIBIT J



U.S. DEPARTMENT of STATE

CONSULAR ELECTRONIC APPLICATION CENTER

Online Immigrant Visa and Alien Registration Application (DS-260)

Immigrant Visa and Alien Registration Application Confirmation

Thank You

You have successfully submitted an Immigrant Visa and Alien Registration Application (Form DS-260). You must bring to your visa interview proof that you submitted this form by printing a confirmation page using the below button. Do not print a copy of this screen; use the below PRINT CONFIRMATION button to print a page with a unique barcode related to your visa application. You can print a confirmation from this website at any time.

Next Step

Your Immigrant Visa and Alien Registration Application (Form DS-260) was sent to the National Visa Center (NVC) for review. **However, NVC will not review your Form DS-260 until they have received the required financial and civil documents that you must also submit.** If you have not sent NVC those items, please do so now. Visit <http://nvc.state.gov> (English) or <http://nvc.state.gov/espanol> (Spanish) and review Steps 4-6 for instructions.

When NVC has your DS-260, financial documents, **and** civil documents, they will review these items. Please allow 30 days for NVC to complete their review. If the documents you submit are insufficient or incomplete, NVC will send instructions on how to correct your submission. **NVC cannot schedule your visa interview until your supporting documentation is complete.**

Your Visa Interview

Once you have a visa interview appointment, you need to:

1. Obtain and submit photographs that meet the Department of State's visa requirements.
2. Review the information for the U.S. Embassy where your visa interview will occur.

Please use the buttons below for information on these items as well as instructions for submitting documents to NVC.

During the interview with a consular officer, you will be required to sign your application by providing a "biometric signature" – in other words, your fingerprints. By providing this biometric signature, you are certifying under penalty of perjury that you have read and understood the questions in your immigrant visa application. You are also certifying that all statements that appear in your immigrant visa application have been made by you and are true and complete to the best of your knowledge and belief. At the time of your interview, you will also be required to certify under penalty of perjury that all statements in your application and those made during your interview are true and complete to the best of your knowledge and belief.

This confirms the submission of the Immigrant Visa and Alien Registration application for:

Name Provided:	E [REDACTED], G [REDACTED]
Country/Region of Origin (Nationality):	SYRIA
Completed On:	02 DEC 2016
Case No:	AMM [REDACTED]
Confirmation No:	AA [REDACTED]



AMM [REDACTED]

THIS IS NOT A VISA



AA [REDACTED]

Version 01.01.00